

motive Engineers, Border City Division, Arkansas City, Kans., favoring the Bates-Penrose employers' liability bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Textile World Record, relative to the use of the metric system in the Philippine Islands—to the Committee on Insular Affairs.

Also, petition of Colorado beet-sugar manufacturers, against a reduction of duties on beet sugar—to the Committee on Ways and Means.

Also, petition of the Carriage Builders' Association, favoring national regulation of commerce—to the Committee on Interstate and Foreign Commerce.

Also, petition of the executive committee of the Interstate Commerce Law conventions of St. Louis and Milwaukee—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Texas: Papers to accompany bill for relief of James Sanders—to the Committee on Invalid Pensions.

By Mr. CROWLEY: Papers to accompany bill for relief of James H. Wasson—to the Committee on Invalid Pensions.

By Mr. DALZELL: Papers to accompany bill for relief of Abraham K. Van Tine, of Oakmont, Pa.—to the Committee on Invalid Pensions.

By Mr. DEEMER: Petition of citizens of Porterbrook and Westfield, Pa., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. DRAPER: Petition of the board of directors of the Receivers and Shippers' Association of Cincinnati, favoring the passage of the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DRESSER: Papers to accompany bill for relief of Franklin G. Mattern—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of the Interstate Commerce Law Convention, St. Louis, Mo., concerning an amendment to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Sandwich Manufacturing Company, of Sandwich, Ill., favoring the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of William White & Co., of Moline, Ill., favoring enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Hibbard, Spencer, Bartlett & Co., of Chicago, Ill., favoring legislation protecting the shippers of the country by fixing freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of cigar makers' local union, Ottawa, Ill., against lowering duties on Philippine tobacco—to the Committee on Ways and Means.

Also, petition of the Elmore Coal Company, of Rockford, Ill., favoring the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Rockford Fuel and Lumber Company, of Rockford, Ill., favoring bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, petition of Richmond Pearson Hobson, favoring the Wiley bill (H. R. 6490)—to the Committee on Naval Affairs.

By Mr. GOEBEL: Petition to accompany bill for relief of Nathan Loeb—to the Committee on Military Affairs.

By Mr. HEARST: Petition of the Business Men's Association of Rockford, Ill., favoring the Hearst bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of C. H. Cohron & Son, of Stuarts Draft, Va., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of merchants and shippers of Marysville, Mich., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. H. Hirsch & Son, favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of John S. Cissel, favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of James F. Umpleby, of St. Louis, Mo., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of C. A. Foster, favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

By Mr. HITT: Petition of the Woodlawn Farm Company, favoring enlarged powers for the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Robinson Division, No. 78, Order of Railway Conductors, favoring bills S. 4092 and H. R. 7041—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of citizens of South Amboy, N. J., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of residents of Longbranch, N. J., favoring pensions for life service—to the Committee on Pensions.

By Mr. HUNT: Petition of Receivers and Shippers' Association of Cincinnati, Ohio, for Government regulation of freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON of Ohio: Papers to accompany bill for relief of James W. Myers, of Rising Sun, Ohio—to the Committee on Invalid Pensions.

By Mr. MORGAN: Papers to accompany bill for the relief of Darius M. Smeltzer—to the Committee on Invalid Pensions.

Also, petition of the Board of Trade of Portsmouth, Ohio, favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill for relief of Sarah W. Smith, of Manchester, Ohio—to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of Sarah A. Shaw, of Gallipolis, Ohio—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Papers to accompany bill H. R. 4172—to the Committee on the Judiciary.

By Mr. PATTERSON of Pennsylvania: Petition of the First Presbyterian Church of Shenandoah, Pa., favoring exclusion of intoxicating liquors from Indian Territory—to the Committee on the Territories.

Also, papers to accompany bill for relief of A. H. Glassmire—to the Committee on Invalid Pensions.

By Mr. PORTER: Petition of the Pennsylvania State Grange, favoring bill H. R. 8678—to the Committee on Agriculture.

Also, petition of the Pennsylvania department of forestry, for legislation to preserve the big trees in Calaveras grove, California—to the Committee on Agriculture.

By Mr. REID: Papers to accompany bill H. R. 17545, to remove charge of desertion against Oliver J. Owen—to the Committee on Military Affairs.

By Mr. RYAN: Petition of Receivers and Shippers' Association of Cincinnati, Ohio, for enlarging the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Michigan: Petition of Andrew Brooks et al., against the passage of bill H. R. 4859—to the Committee on the District of Columbia.

By Mr. SPERRY: Petition of New Haven Division, No. 77; Hartford Division, No. 205, and New London Division, No. 348, of Brotherhood of Locomotive Engineers, favoring bill H. R. 13354—to the Committee on Invalid Pensions.

Also, petition of Cigar Makers' Union No. 299, of Middletown, Conn., protesting against any reduction in the tariff duties on Philippine tobacco—to the Committee on Ways and Means.

By Mr. STEPHENS of Texas: Petition of citizens of Marietta, Ind. T., requesting passage of bill H. R. 17487—to the Committee on the Territories.

By Mr. THOMAS of Ohio: Petition of Central Christian Church, of Warren, Ohio, favoring the Senate bill known as the "Hamilton bill," against intoxicating liquors in Territories—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Grace United Evangelical Church, of Warren, Ohio, favoring the Hamilton bill, against intoxicating liquors in Territories—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Isaac C. Gibbons et al., favoring bill H. R. 15797—to the Committee on Invalid Pensions.

By Mr. WACHTER: Paper to accompany bill for the relief of Charles N. Kuhn—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: Paper to accompany bill for relief of Mrs. Sarah Burke—to the Committee on Invalid Pensions.

## SENATE.

FRIDAY, January 13, 1905.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved.

### TARIFF ON PHILIPPINE TOBACCO.

The PRESIDING OFFICER (Mr. PERKINS) laid before the Senate a communication from the Secretary of War, transmitting copies of two letters from the executive secretary of the Philippine Islands quoting a petition from the governor of the province of Cagayan on behalf of the inhabitants of that province, and one from the governor of the province of Isabela on behalf of the municipal presidentes and prominent tobacco growers in that province, praying for a tariff reduction on Philippine tobacco imported into the United States; which, with the accompanying paper, was referred to the Committee on the Philippines, and ordered to be printed.

## CHESAPEAKE AND POTOMAC TELEPHONE COMPANY.

The PRESIDING OFFICER laid before the Senate the annual report of the Chesapeake and Potomac Telephone Company for the year 1904; which was referred to the Committee on the District of Columbia, and ordered to be printed.

## ELECTORAL VOTES.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of State, transmitting the final ascertainment of electors for President and Vice-President for the State of Michigan; which, with the accompanying paper, was ordered to be filed.

## FINDINGS OF THE COURT OF CLAIMS.

The PRESIDING OFFICER laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Trustees of the Washington Street Methodist Episcopal Church South, of Alexandria, Va., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Trustees of the First Baptist Church of Alexandria, Va., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Trustees of the Christian Church of Nicholasville, Ky., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 6261) permitting the building of a railroad bridge across the Mississippi River at the city of Minneapolis, State of Minnesota, from a point on lot 2 to a point on lot 7, all in section 3, township 29 north, range 24 west of the fourth principal meridian.

The message also announced that the House had passed a bill (H. R. 16284) to transfer Fayette County from western to southern judicial district of Texas; in which it requested the concurrence of the Senate.

## PETITIONS AND MEMORIALS.

The PRESIDING OFFICER. On behalf of the junior Senator from Maine [Mr. FRYE], the Chair presents sundry petitions, which will be noted in the RECORD and appropriately referred or laid on the table.

The petitions were referred or ordered to lie on the table as follows:

A petition of the Woman's Christian Temperance Union of Madison, Me., and a petition of the Pierian Club, of Presque Isle, Me., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill—ordered to lie on the table.

A petition of the Merchants' Association of New York City, praying for a reduction of the tariff on Philippine products imported into the United States—referred to the Committee on the Philippines.

A memorial of the Arizona Baptist Convention, of Phoenix, Ariz., remonstrating against the annexation of that Territory to the Territory of New Mexico—ordered to lie on the table.

A memorial of the Ladies of the National Protective Labor Association of Washington, D. C., remonstrating against the passage of the so-called "whipping-post bill"—referred to the Committee on the District of Columbia.

A petition of Local Lodge No. 484, Brotherhood of Railroad Trainmen, of Washington, D. C., praying for the enactment of legislation providing for the prevention of child labor in the District of Columbia—referred to the Committee on the District of Columbia.

A petition of the Baptist, Free Baptist, and Methodist Episcopal societies of Corinth, Me., and a petition of the Nezinscot History Club, of Buckfield, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy—referred to the Committee on the Judiciary.

A petition of the Master Mariners' Association of the United States, praying that an appropriation be made for the completion of the easterly shore arm breakwater at Point Judith, R. I.—referred to the Committee on Commerce.

A petition of the Trans-Mississippi Commercial Congress of Portland, Oreg., praying that an appropriation be made for the

improvement of the Mississippi River between the mouths of the Missouri and the Ohio rivers—referred to the Committee on Commerce.

Petitions of the Carriage Builders' National Association of Wilmington, Del.; of the executive committee of the Travelers and Merchants' Association of Baltimore, Md.; of the New England Shoe and Leather Association, of Boston, Mass.; of the Commercial Association of Danville, Va., and of W. A. Cutler and sundry other citizens of Toledo, Ohio, praying for the enactment of legislation to enlarge the power of the Interstate Commerce Commission—referred to the Committee on Interstate Commerce.

A petition of the Congregational Association of the Territory of Hawaii, praying that an investigation be made into the existing conditions in the Kongo Free State—referred to the Committee on Foreign Relations.

A petition of the Union League Club of New York City, praying for the enactment of legislation providing for the appointment of a commission to investigate the question of the conditions of manufacture as affected by the tariff—referred to the Committee on Finance.

Petitions of sundry citizens of St. Louis, Mo., of the Bar Association of Chicago, Ill., of the Bar Association of Los Angeles, Cal., of the People's Institute of New York City, and of the United States Export Association of New York City, praying for the ratification of international arbitration treaties—referred to the Committee on Foreign Relations.

Mr. PENROSE presented a petition of the Pennsylvania Dairy Union, praying for the passage of the so-called "pure-food bill," which was ordered to lie on the table.

He also presented a petition of sundry citizens of West Alexander, Pa., praying for the enactment of legislation providing for the protection of Indians against the liquor traffic in new States to be formed; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Philadelphia, Pa., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Richland, Ariz., and New Berlin, all in the State of Pennsylvania, praying for the enactment of legislation providing more stringent laws and regulations governing immigration; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented a petition of Echo Lodge, No. 157, Brotherhood of Locomotive Engineers, of Peru, Ind., and a petition of Local Division No. 246, Brotherhood of Locomotive Engineers, of Evansville, Ind., praying for the passage of the so-called "employers' liability bill," which was referred to the Committee on Interstate Commerce.

Mr. BLACKBURN presented a petition of Hanging Rock Division Lodge, No. 363, Brotherhood of Locomotive Engineers, of Somerset, Ky., praying for the passage of the so-called "employers' liability bill," which was referred to the Committee on Interstate Commerce.

Mr. BATE presented a petition of Holston Division, No. 239, Brotherhood of Locomotive Engineers, of Knoxville, Tenn., praying for the enactment of legislation granting pensions to locomotive engineers during the war of the rebellion; which was referred to the Committee on Pensions.

Mr. HALE presented a petition of the Baptist Society and the Free Baptist Society; of the Methodist Society; the Woman's Christian Temperance Union; the Orient Grange, Patrons of Husbandry; the Corinthia Ladies' Literary Club; the Noble Grand of Corinthian Lodge, Independent Order of Odd Fellows; Noble Grand of Diamond Lodge, Order of Rebekahs, and of the leader of John Morison Band, all of Corinth, in the State of Maine, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. PROCTOR presented the petition of Lucretia A. Owen and sundry other citizens of East Hardwick, Vt., praying for the passage of the so-called "pure-food bill," which was ordered to lie on the table.

Mr. GALLINGER presented the petition of Mrs. E. H. Pearson, of Epping, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Indian Territory when admitted to statehood; which was ordered to lie on the table.

He also presented memorials of sundry citizens of the District of Columbia, remonstrating against the enactment of legislation



providing for the closing on Sunday of certain places of business in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. DRYDEN presented a petition of sundry citizens of River-ton, N. J., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Burlington County board of agriculture, of New Jersey, remonstrating against the repeal of the so-called "Grout oleomargarine bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Woman's Christian Temperance unions of Pemberton, Haddonfield, and Lumberton, all in the State of New Jersey, praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which were ordered to lie on the table.

He also presented memorials of the congregation of the Methodist Episcopal Church of Pemberton, of the Woman's Christian Temperance Union of Montclair, of the Woman's Christian Temperance Union of Pensauken, of the congregation of the Methodist Episcopal Church of Saccasunna, of the Young Woman's Christian Temperance Union of Roseville, of the Woman's Christian Temperance Union of Bloomfield, of the Young Woman's Branch of the National State Woman's Christian Temperance Union, and of the congregation of the Protestant Episcopal Church of Saccasunna, all in the State of New Jersey, remonstrating against the repeal of the present anticanon law; which were referred to the Committee on Military Affairs.

Mr. KNOX presented a petition of the Woman's Christian Temperance Union of Scranton, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Congregational Ministers' Union of Philadelphia, Pa., and a petition of the Lutheran Ministers' Union of Philadelphia, Pa., praying that an investigation be made into the existing conditions in the Kongo Free State; which were referred to the Committee on Foreign Relations.

He also presented the petition of C. R. Woodruff and sundry other citizens of Philadelphia, Pa., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented petitions of Patriotic Order Sons of America, of Tremont, Pittston, Palmyra, Glasgow, Aristes, and Richland, all in the State of Pennsylvania, praying for the enactment of legislation to restrict the immigration of aliens into the United States; which were referred to the Committee on Immigration.

He also presented a petition of the Grain and Flour Exchange, of Pittsburg, Pa., and a petition of the Receivers and Shippers' Association, of Cincinnati, Ohio, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Pennsylvania State Grange, Patrons of Husbandry, praying for the enactment of legislation providing for an increase in the income of the agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Federal Woman's Equality Association, of Washington, D. C., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

He also presented petitions of 83 members of the Presbyterian Church of Freeland; of the Northeast Branch of the Philadelphia Christian Endeavor Union, of Philadelphia; of J. F. Sutherland and sundry other citizens of West Alexander; of Rev. James W. Boal, of Center Hall; the Trinity Lutheran Christian Endeavor Society, of Philadelphia; of A. S. Wing, of Philadelphia; the Christian Endeavor Society of the Patterson Methodist Episcopal Church, of Philadelphia; of John Way, of Lansdowne; Francis W. Hicks, of Avondale; Eliza R. Miner, of Wilkesbarre; Whitson Gause, of Strasburg; S. R. Yarnall, of Germantown; M. S. Fischer, of Philadelphia; D. T. Alsop, of Haverford; all in the State of Pennsylvania, and of the Indian Territory Church Federation, of Muscogee, Ind. T., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the Indian Territory when admitted to statehood; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Delaware County; of Josephine Boutellier, of Philadelphia; O. T. Pancoast, of Chester; C. C. Wilson, of Philadelphia; Mary M. Cohen, of Philadelphia; Mary W. L. Middleton, of Philadelphia; Alexander Henry, of Philadelphia; C. C. Davis, of Philadelphia; A. E. Hunsburger, of Philadelphia; A.

B. Stubbs, of Merion; Emerson Club, of Philadelphia; John C. Young, of Philadelphia; M. L. Shoenberger, of Philadelphia; J. B. Huey, of Philadelphia; the Young Ladies' Auxiliary, Presbyterian Home for Aged Couples, of Bala; L. C. Roberts, of Philadelphia, and Daniel P. Martin, of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BAILEY presented a petition of sundry citizens of Texas, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the board of supervisors of Gila County, Ariz., remonstrating against the union of Arizona and New Mexico as one State; which was ordered to lie on the table.

Mr. McENERY presented sundry papers to accompany the bill (S. 4458) for the relief of William Browne Millican, of East Feliciana Parish, La.; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 4972) for the relief of Blaize Motte, of St. Landry Parish, La.; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 4973) for the relief of the estates of Alexis Hebert and Henry Vedrimes, of Iberia Parish, La.; which were referred to the Committee on Claims.

Mr. PERKINS presented sundry papers to accompany bill S. 6269; which were referred to the Committee on Claims.

#### REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on Military Affairs, to whom was referred the bill (S. 2343) for the relief of James McElroy, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 16160) granting to Farwell, Ozmun, Kirk & Co. license to make excavations and place footings in the soil of certain land belonging to the United States at St. Paul, Minn., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 6159) granting to Farwell, Ozmun, Kirk & Co. license to make excavations and place footings in the soil of certain land belonging to the United States at St. Paul, Minn., reported adversely thereon, and the bill was postponed indefinitely.

Mr. GIBSON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (H. R. 11584) for the protection of wild animals and birds in the Wichita Forest Reserve, reported it without amendment, and submitted a report thereon.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (S. 6337) for the establishment of sub-ports of entry at Rouses Point and Malone, N. Y., reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 16992) to authorize the county of Sunflower to construct a bridge across the Sunflower River, Mississippi, reported it without amendment.

Mr. KITTREDGE, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (H. R. 8460) providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture, reported it with an amendment, and submitted a report thereon.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 656) providing for the retirement of petty officers and enlisted men of the Navy, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 16582) to authorize the Union Trust and Storage Company to change its corporate name, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 6139) to authorize the Union Trust and Storage Company of the District of Columbia to change its corporate name, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 69) to provide for the loan of obsolete rifles, together with belts and bayonets, to posts of the Grand Army of the Republic and organizations of Sons of Veterans, reported it with amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 5944) repealing an act entitled "An act to extend the time for presenting claims for additional bounties," and its amendments and extensions, so far as they limit the time for presenting claims for additional bounties granted to soldiers by the twelfth and thirteenth sections of the act of July 28, 1866, reported it without amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3343) to authorize the Anacostia, Surrattsville and Brandywine Electric Railway Company to extend its street railway in the District of Columbia, reported it with an amendment, and submitted a report thereon.

#### REPORT OF THE COMMISSIONER-GENERAL OF IMMIGRATION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. DILLINGHAM on the 10th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed in paper covers, at the Government Printing Office, 5,500 additional copies of the annual report of the Commissioner-General of Immigration for the year ending June 30, 1904, with illustrations, of which 1,000 shall be for the use of the Senate and 2,000 for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution.*

#### REPORT OF COMMISSIONER OF CORPORATIONS.

Mr. PLATT of New York. From the Committee on Printing I report back the concurrent resolution of the Senate providing for printing 10,000 copies of the report of the Commissioner of Corporations covering the period from the organization of the Bureau to June 30, 1904, together with the amendment of the House of Representatives striking out the latter clause of the resolution, in the following words:

Including therein the statement of the case and the opinion of the court in *Paul against Virginia* (8 Wall, p. 168), and the statement of the case, the opinion of the court, and the dissenting opinion in *United States against E. C. Knight Company* (158 U. S., p. 1).

I move that the Senate insist upon its amendment and request a conference with the House of Representatives on the disagreeing votes of the two Houses.

Mr. BAILEY. My attention was diverted at the moment. I should like to inquire what is the amendment?

Mr. PLATT of New York. It is simply to strike out the provision for printing the opinion of the court.

The PRESIDING OFFICER. The Senator from New York moves that the Senate nonconcur in the amendment made by the House of Representatives and that a committee of conference be requested on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. PLATT of New York, Mr. ELKINS, and Mr. GORMAN were appointed.

#### PRINTING AND DISTRIBUTION OF DOCUMENTS.

Mr. PLATT of New York. I ask unanimous consent to call up the bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

Mr. PLATT of New York. It has been read.

The PRESIDING OFFICER. The bill was reported from the Committee on Printing with amendments. The first amendment of the committee will be read.

The Secretary read the first amendment of the committee, which was, on page 1, after line 8, to strike out all of the bill down to and including line 4, on page 2, and to insert, etc.

Mr. SPOONER. Is the bill called up for action at this time?

The PRESIDING OFFICER. It is. It was called up by the senior Senator from New York.

Mr. PLATT of New York. It was unanimously reported from the Committee on Printing, and there is no objection to it.

Mr. SPOONER. I should like to have it go over for the time being. I wish to examine it.

Mr. PLATT of New York. It is a reduction in printing from one end of the schedule to the other.

Mr. SPOONER. That is, of the reports on private claims?

The PRESIDING OFFICER. Objection being made to the present consideration of the bill, it will go over under the rule.

Mr. SPOONER. I do not care to have it go over under the rule. I ask that it may be temporarily laid aside without losing its place, so that I may look at it.

The PRESIDING OFFICER. The bill will retain its place.

#### REGULATION OF PRACTICE OF MEDICINE AND SURGERY.

Mr. GALLINGER. I report back favorably without amendment, from the Committee on the District of Columbia, the bill (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896. I will say that a few days ago the Senate, upon an explanation made by me, passed a bill in identical terms, and for that reason I venture to ask unanimous consent for the present consideration of the House bill.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I think it might be well to have the Senate bill recalled from the House. I do not know exactly the procedure.

The PRESIDING OFFICER. The Chair is informed that the number of the Senate bill is 5359.

Mr. GALLINGER. I move that the House be requested to return Senate bill 5359 to the Senate.

The motion was agreed to.

#### BUSINESS OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. Mr. President, at the meeting of the Committee on the District of Columbia this morning a very large amount of business was found on the table, and a large number of reports were ordered made. At the suggestion of members of that committee, I wish to call the attention of the Senate to the fact that in the other House they have one day each two weeks for the consideration of District of Columbia business. At the last session the Senate kindly granted, upon my request, I think, two or three hours of a day for the consideration of bills coming from the District of Columbia Committee, and I rise to ask if there is any objection to two or three hours being given this committee, say, on Monday next, after the routine morning business.

Mr. BAILEY. I suggest that the Senator make it Saturday, so that those of us who do not care to serve in the capacity of city councilmen may go their way.

Mr. GALLINGER. I will change the request to Saturday.

Mr. PLATT of Connecticut. Of next week?

Mr. GALLINGER. Of the present week.

Mr. GORMAN. To-morrow.

Mr. GALLINGER. To-morrow. I ask that the committee be given three hours after the conclusion of the routine morning business to-morrow.

Mr. GORMAN. Why not take the whole day? There are a great number of bills that should be considered.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from New Hampshire to the fact that there is a special order for to-morrow after the morning business.

Mr. BAILEY. Then I withdraw the suggestion against Monday.

Mr. GALLINGER. Then I will make the request that on Monday next, at such time after the routine morning business—

Mr. LONG. The special order is for a week from to-morrow.

Mr. COCKRELL. What is the special order for to-morrow?

Mr. GALLINGER. The special order is not for to-morrow, but for one week from to-morrow.

The PRESIDING OFFICER. The error has been discovered; therefore the order will stand for to-morrow, if there be no objection.

Mr. KEAN. What is the order?

Mr. GALLINGER. The Senator from Maryland suggests why not give the afternoon. If it is necessary for the committee to have that much time, it would be very agreeable to the chairman of the committee to have the Senate grant the afternoon.

Mr. GORMAN. I trust the chairman will modify his request to that extent; and then, if the business of the Committee on the District of Columbia is disposed of, we can go on and consume the balance of the day with Senate bills on the Calendar. If we do not consider those bills at an early day they may not have consideration at all, for there will not be time elsewhere. I trust the Senator will ask for the day to-morrow.

Mr. GALLINGER. I will ask for the day, after the routine morning business.

Mr. COCKRELL. I ask if that would exclude any other busi-



ness to-morrow, in case the bills relating to the District of Columbia were disposed of in a short time?

Mr. GALLINGER. Such portion of the day, I will then say, as may be necessary to consider bills on the Calendar from the Committee on the District of Columbia.

Mr. COCKRELL. Let the agreement be made to consider them to-morrow, and then, after they are through—if they are through in time—to consider other bills on the Calendar.

Mr. GALLINGER. Certainly; we can proceed to the Calendar afterwards.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. NEWLANDS. I should like to inquire of the chairman of the Committee on the District of Columbia whether it is his intention to bring up to-morrow the bill relating to the extension of the Great Falls and Old Dominion Railroad?

Mr. GALLINGER. I know of no reason why that bill should not be considered, if it is reached.

Mr. NEWLANDS. To-morrow?

Mr. GALLINGER. To-morrow.

Mr. BAILEY. As a friend of the court, I suggest if they get to that bill very early they are not apt to get to any other bill during the day.

Mr. GALLINGER. Of course, I do not—

Mr. BAILEY. I do not make that as a threat, merely as a prediction.

Mr. GALLINGER. I am very glad it is not made as a threat, because, of course, I expect that bill will be considered on its merits. I did not report it, I will say to the Senator.

Mr. NELSON. I trust the Senator from New Hampshire will modify his request to this extent, that it shall not displace the statehood bill?

Mr. GALLINGER. Oh, certainly; certainly.

Mr. NELSON. I ask to have that modification made, that the order shall not interfere in any manner with the statehood bill.

Mr. GALLINGER. The statehood bill will be laid aside temporarily.

The PRESIDING OFFICER. With that modification, is there objection to the request of the Senator from New Hampshire?

Mr. BEVERIDGE. Did the Senator's request extend further than the consideration of District of Columbia matters?

Mr. GALLINGER. To other bills, if there is time.

Mr. BEVERIDGE. The Senator means bills on the Calendar?

Mr. GALLINGER. Yes. The statehood bill would come up at 2 o'clock and be temporarily laid aside.

Mr. BEVERIDGE. I would be very glad to consent to its being temporarily laid aside to-morrow afternoon for the purpose of considering District of Columbia matters, but no further; so that after that we may proceed with the unfinished business. That will cover all the Senator from New Hampshire wants to accomplish.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. BURROWS. I wish to inquire whether the effect of this order, if made, would be to do away with an objection to the consideration of a bill?

The PRESIDING OFFICER. The Chair thinks so.

Mr. BURROWS. Would one objection carry a bill over?

Mr. GALLINGER. I wish it to be understood that I ask consent that we shall proceed to the consideration of these bills, not under Rule VIII, but that we shall consider them with a view of debating and acting upon them.

The PRESIDING OFFICER. The Senator from New Hampshire, on behalf of the District of Columbia Committee, asks unanimous consent that on Saturday afternoon, after the morning business, the Senate shall proceed to the consideration of District of Columbia bills.

Mr. GALLINGER. Under Rule IX.

The PRESIDING OFFICER. Under Rule IX.

Mr. BEVERIDGE. That is for to-morrow afternoon?

The PRESIDING OFFICER. For to-morrow afternoon.

Mr. BEVERIDGE. And for that purpose the unfinished business will be temporarily laid aside. That is satisfactory.

The PRESIDING OFFICER. Is there objection?

Mr. BURROWS. I understand from the statement of the Senator from New Hampshire, in conjunction with the statement from the Chair, that a single objection will not carry a bill over?

The PRESIDING OFFICER. Under Rule IX a bill is subject to debate the same as the statehood and other bills regularly before the Senate.

Mr. BURROWS. I understand that one objection would not prevail?

The PRESIDING OFFICER. It would not prevail.

Mr. BURROWS. Then I shall object to the request unless the Senator will except Senate bill 2833, Order of Business 1797.

Mr. LODGE. What bill is that?

Mr. BURROWS. The bill to extend the Great Falls and Old Dominion Railroad Company into and within the District of Columbia. I will say to the Senator from New Hampshire, in view of the statement made by the Senator from Texas [Mr. BAILEY], that not much business will be done after reaching that bill, and it would be better to except it from the order.

Mr. GALLINGER. Mr. President, this is a most extraordinary attitude for Senators to place themselves in. I shall make no exception of any bill reported by the Committee on the District of Columbia. If we have this privilege granted us we will take up the bills in order and they will be considered in order, and no suggestion or threat from the Senator from Michigan or any other Senator will deter me from that ordinary procedure.

Mr. BURROWS. I will say in reply to the Senator that the Senator from Michigan made no threat and said nothing that may be construed as a threat. I merely suggested that I would like to have the order modified so as not to include that bill, which will evidently take a good deal of time.

Mr. GALLINGER. My response to that suggestion is that, while I did not serve as a member of the subcommittee which reported that bill to the full committee, and it is in charge of another Senator, nor did I introduce the bill, if factious opposition is to be presented to that bill and we are to be served with notice that we will not be permitted to consider it, in due time and at a proper time the sense of the Senate will be tested upon a motion as to whether or not it will give consideration to the bill.

Mr. BAILEY. The Senator from New Hampshire is not as polite as he usually is, and he evinces a feeling over this matter that does not become either him or the Senate. Nobody has threatened the Senator from New Hampshire with any factious opposition to that bill. In the interest of progressing with the business of the Committee on the District of Columbia, I made the friendly and pleasant suggestion that inasmuch as that bill would be apt to provoke a controversy, if the Senate was asked to enter upon its consideration, the day which I was perfectly willing to see given to the District of Columbia would be wasted.

I know myself nothing about the merits of that bill. I frankly say that I have not examined it. But no longer than this morning the mail brought me a very earnest remonstrance against it, forwarded to me from a former pupil of an institution of learning in this city, in which it is set forth at some length that the proposed road would be a very great injury to the property.

Now, assuming that other Senators have been receiving similar protests, and assuming that there is merit in the protest, I concluded that the consideration of that bill would probably prevent the consideration of other bills; and I am not, because of a friendly suggestion, to be put in the attitude of making factious opposition to a bill the merits of which I have not examined and do not pretend to understand.

I think the Senator from New Hampshire, on reflection, will not be willing to put me in that position. He will recall that I said in a jocular way that it was not a threat, but a prediction, and it was made without any idea of deterring the Senator or his committee from bringing up for consideration in the Senate a measure that their judgment might direct. But inasmuch as I was taking part in the colloquy, looking to fixing a day, I repeat that I believe the bill will provoke opposition that would seriously interfere with the Senator's programme, and I wish to say that that belief is based upon the fact that, as for myself, I should want to examine it, having been appealed to in a way that entitles respectful consideration, and I suppose other Senators would feel the same way.

Now, I wish to say that the business of the District of Columbia Committee is the one business which engages the attention of the Senate in which I never take any part. Some of us must, perhaps all of us ought; but I have very little taste for acting in the capacity of a city councilman or a member of a board of aldermen. I have not, either in the other House or in this, given any particular attention to the business of the District of Columbia, and for having interposed a friendly suggestion I am not willing to be put in the attitude of making a factious opposition to a bill that I know nothing about.

Mr. GALLINGER. Mr. President, the Senator from New Hampshire had no intention of being other than courteous. He appreciates the position the Senator from Texas took. And yet notice was served upon the Senate that if one particular

bill was reached no other business would be done. I do not think that was courteous.

And, Mr. President, that is done in advance of knowledge on the part of Senators. Amendments are to be offered to the bill. An amendment will be offered that I think will obviate the objection the Senator's correspondent makes to the bill. I understand that the good lady who runs that school, and who is entitled to great consideration, is having the graduates from the school write Senators. I have such letters myself from the States of Indiana and Wisconsin, I believe. We all understand how that sort of thing is done. It is the intention to offer an amendment that in my judgment will obviate any reasonable objection that that good lady could make to the bill.

For that and other reasons it has seemed to me that we ought not in advance to say that any particular bill should be excluded from consideration. If this leave is granted and of course if strong opposition should develop, it is very likely the chairman would have sense enough to withdraw it and ask the Senate to proceed to the consideration of some other bill. But in advance the chairman of the committee of course could not agree to that proposition.

Now, Mr. President, I have had no intention of being discourteous to either the Senator from Texas or the Senator from Michigan.

Mr. HALE. Will the Senator allow me?

Mr. GALLINGER. Certainly. This is all I care to say. If leave is granted I will be gratified. If not, of course I will submit, as I must submit.

Mr. HALE. I wish to say to the Senator from New Hampshire that this is a matter in which we are all interested. There is very serious opposition to the proposed cross-town road upon M street. It is a sincere opposition and it will make itself, in a proper way, known whenever the bill comes up.

I wish to make a suggestion to the Senator from New Hampshire, who is an eminently practical legislator. I do not want to say pleasant things to his face, because he does not require that, but he manages his committees well; he gets things through. I suggest to him in view of what is the real and serious objection to this one bill on the Calendar that he does not lose any of the authority or dignity which belongs to the chairman of a committee, when making a request to consider the docket of that committee, to leave out a single bill to which there are very grave objections. I know I have done that more than once in trying to get the business of committees that I have had in charge through. I have made propositions that a day shall be given to a certain class of bills, barring the consideration of some bill that I knew would involve a contest.

I join with the other Senators in saying whenever that bill does come before the Senate it will meet with opposition; but we do not say it in any menacing way, only suggesting to the Senator that to get the business along we will help him if he does not seek to bring that bill up on that particular day. I think that is about all there is of it.

Mr. BAILEY. Mr. President, I rose to say what the Senator from Maine [Mr. HALE] has said so much better than I could have done; and I will only add that repeatedly I have witnessed conditions where there were a number of bills absolutely free from objection blocked by a bill that provoked controversy, and in order to reach some action with reference to bills free from every objection, Senators have agreed to take either for all time, or for the time, the controverted measure out of the way. That is all I meant to say.

The Senator from New Hampshire [Mr. GALLINGER] will understand that if we were to reach on the Calendar a bill affecting the tariff, it would be no threat, and certainly intended as no discourtesy, to say to the Senator in charge of the matter, "This bill will provoke debate, and in order that we may dispose of those bills which will not be debated, I ask that this be laid aside." That was the whole purpose I had in mind.

Mr. MARTIN. Mr. President—

Mr. GALLINGER. A single word, if the Senator from Virginia will permit me.

Mr. MARTIN. Certainly.

Mr. GALLINGER. Mr. President, this bill was reported on the 2d day of April, 1904, by the Senator from North Dakota [Mr. HANSEBROUGH], and has been on the Calendar ever since. That is a long time; and the bill ought at some time to receive consideration. It is pretty hard to resist an appeal from the Senator from Maine [Mr. HALE], as we all know, and I regret that I have got to resist the appeal he made just now.

If I am correctly informed, the first street railroad in Washington was "held up" for two years because the people on Pennsylvania avenue insisted that it would destroy their prop-

erty, and since I have been a member of the Committee on the District of Columbia, now thirteen years, I know of no street railroad that has been laid down in the city of Washington that has not been protested against by the owners and occupants of property along the route; but I do not know now, Mr. President, of a single street railroad in the city of Washington that could be torn up without a riot.

The citizens of M street are following the usual precedent. They are protesting; they are protesting in good faith, I have no doubt; and their protests are entitled to be heeded; but the committee, in its judgment, unanimously, as I remember, thought that this bill ought to be reported and at least considered, and therefore I, as chairman of that committee, certainly without consulting with other members of the committee, do not feel at liberty to except that bill from the regular consideration.

Mr. MARTIN. Mr. President, I realize that there are times when contested matters should give place and permit the great bulk of uncontested matters to have consideration; but it does seem to me that this disposition in the Senate to consider nothing but uncontested measures is being observed to too great an extent. Everybody knows that this bill will provoke discussion; everybody knows that there is opposition to it; but that is no reason why the Senate should not consider it. It seems to me that the matters which are controverted are entitled to an opportunity to have the attention and consideration of the Senate, and under the request which was made by the Senator from New Hampshire [Mr. GALLINGER] nothing would be done which would debar full discussion and fair consideration of this measure. Its consideration can not be suppressed by objections of this character.

If we can not by unanimous consent have a day set for the consideration of District of Columbia measures, contested as well as uncontested, this bill will be brought to the attention of the Senate at a very early day by a motion to proceed with its consideration. So very little will be gained, it seems to me, by the objection which comes from the Senator from Michigan [Mr. BURROWS]. If this bill is not meritorious the Senator ought to be and will be able to demonstrate that fact to the Senate. Of course there will be a few individual interests injured, as is always the case by a great public improvement. This is a matter of great public interest, of great importance, in my judgment, for the welfare of this city. The few private interests which will be injured by its establishment must give way, as private interests are always required to be subordinated to the public welfare.

I simply desire to say that I feel that contested matters which have been reported from the Committee on the District of Columbia are entitled to the consideration and action of this body as well as uncontested matters, and if we can not have consideration by fixing a day by unanimous consent, very early a motion will be made to proceed to the consideration of this bill.

The PRESIDING OFFICER. The Secretary will read the request of the Senator from New Hampshire [Mr. GALLINGER]. The Secretary read as follows:

*Resolved*, That on Saturday, January 14, 1905, immediately after the completion of the routine morning business, the Senate proceed to the consideration, under Rule IX, of bills upon the Calendar reported from the Committee on the District of Columbia, such special order not to displace the unfinished business, House bill 14749.

Mr. BEVERIDGE. That, I understand, applies to Saturday only.

Mr. BURROWS. Mr. President, having ascertained that a single objection would not take this bill over under the proposed order, it seems to me that the request I have made is entirely reasonable. There is a very large number of bills reported from that very able committee which, of course, will occasion but very little discussion—important measures which can be readily passed.

It is perfectly evident that this particular bill will provoke discussion, and, as a result, will practically nullify the order so far as the dispatch of business is concerned. I do not say this as a matter of threat—no one has done that—but I agree with the Senator from Maine [Mr. HALE] that to eliminate this bill, which will evidently occasion debate, will facilitate the business of that committee. If it be true, as it is, as suggested by the Senator from Virginia [Mr. MARTIN], that this bill can be taken up as a separate measure upon motion, and that such a motion will be made at a very early day unless it is included in this order, I do not see how anything will be lost by excepting this bill from the order. Unless that is done I shall feel constrained for the time being to object.

The PRESIDING OFFICER. Objection is made, and the re-



quest goes over. The introduction of bills and joint resolutions is now in order.

STATUE OF FRANCES E. WILLARD.

Mr. WETMORE. I am directed by the Committee on the Library, to whom was referred yesterday the letter of the governor of Illinois in regard to the acceptance by Congress, on a date to be fixed, of the statue of Frances E. Willard, to report it back, and I ask that it may lie on the table.

The PRESIDING OFFICER. The Committee on the Library will be discharged from the further consideration of the communication of the governor of Illinois.

Mr. CULLOM. I ask that the letter be laid on the table for the time being. I shall call it up at some future day.

The PRESIDING OFFICER. The request of the senior Senator from Illinois will be agreed to, and the communication will lie on the table subject to his call.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. McCOMAS introduced a bill (S. 6571) granting an increase of pension to John Van Lear; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 6572) to establish a fish-cultural station in the State of Illinois; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. ALGER introduced a bill (S. 6573) granting a pension to Annie Farley Keith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 6574) authorizing the sale, with the consent of the Indians and for their benefit, of allotted lands not required for homesteads; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 6575) for the disposition and control of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GAMBLE introduced a bill (S. 6576) granting an increase of pension to Carrie M. Cleveland; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DIETRICH introduced a bill (S. 6577) granting an increase of pension to Philo J. Green; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6578) granting an increase of pension to Josiah Pearson;

A bill (S. 6579) granting an increase of pension to J. W. Foley; and

A bill (S. 6580) granting an increase of pension to Melissa E. Nelson.

Mr. McCREARY introduced a bill (S. 6581) granting an increase of pension to Mollie Tarvin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 6582) granting an increase of pension to Ezekiel Vincent; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ANKENY introduced a bill (S. 6583) making the granting of a land warrant prima facie evidence of service in the adjudication of claims for pension under the acts of July 27, 1892, and June 27, 1902; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 6584) to incorporate the trustees of the Grand Encampment of Knights Templar of the United States of America; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 6585) granting an increase of pension to Lyman Marsh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. OVERMAN introduced a bill (S. 6586) granting an increase of pension to Laura E. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 6587) for the relief of the estate of Phillip Poete, deceased;

A bill (S. 6588) for the relief of the estate of H. Pierce, deceased;

A bill (S. 6589) for the relief of the heirs of Cyrus Ratliff, deceased;

A bill (S. 6590) for the relief of the estate of Jean Baptiste Rabot, deceased; and

A bill (S. 6591) for the relief of the estate of John A. Rignes, deceased.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 6592) for the relief of the estate of George Neck, sr., deceased;

A bill (S. 6593) for the relief of the heirs of Jabez Tanner, deceased, and estates of Z. York and Elias J. Hoover, deceased; and

A bill (S. 6594) for the relief of the estate of Jean Marie Tatin, deceased.

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 6595) for the relief of the heirs of Mary Everitt, deceased;

A bill (S. 6596) for the relief of John Wise; and

A bill (S. 6597) for the relief of T. L. Love, surviving partner.

Mr. NELSON introduced a bill (S. 6598) to amend the act of February 17, 1898, relating to navigation; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PERKINS (for Mr. FRYE) introduced a bill (S. 6599) granting a pension to Pearl M. Welch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 6600) granting prize money to George W. Cromis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 6601) granting an increase of pension to W. L. Johnston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 6602) granting an increase of pension to David M. Lemon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 6603) for the relief of Laura J. Dills; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 6604) for the relief of the trustees of the Methodist Episcopal Church South, of Clarksville, Johnson County, Ark.; which was read twice by its title, and referred to the Committee on Claims.

Mr. KITTREDGE introduced a bill (S. 6605) granting an increase of pension to Simeon V. Sherwood; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Louisiana introduced a bill (S. 6606) for the relief of the heirs of Anna Holmes Bernard, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a joint resolution (S. R. 89) authorizing the Secretary of War to transfer to the militia cavalry organization at Chattanooga, Tenn., a certain unused portion of the national cemetery reservation at Chattanooga, Tenn.; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. BLACKBURN submitted an amendment providing for the payment of the claim of Liliuokalani, formerly Queen of the Kingdom of Hawaii, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

GREAT FALLS AND OLD DOMINION RAILROAD COMPANY.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 9166) to authorize the extension, construction, and operation of the Great Falls and Old Dominion Railroad Company into and within the District of Columbia; which, with the accompanying paper, was ordered to lie on the table, and be printed.

AMENDMENT TO STATEHOOD BILL.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was ordered to lie on the table, and be printed.

## AMENDMENT TO DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. KNOX submitted an amendment proposing to appropriate \$1,500 for salary of consul at Port Deitrick, Nicaragua, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

## PRINTING AND DISTRIBUTION OF DOCUMENTS.

Mr. PLATT of New York. I now ask unanimous consent for the consideration of the bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes. It is the bill which was up for consideration this morning, and was laid aside for a few moments.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The first amendment of the Committee on Printing was, in section 1, on page 1, after line 8, to strike out down to and including line 4, on page 2, in the following words:

That hereafter the "usual" number of reports on private bills, concurrent or simple resolutions, shall not be printed. In lieu thereof there shall be printed of each Senate and House report on a private bill, simple or concurrent resolution, 260 copies, which shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies.

And in lieu thereof to insert:

That hereafter the usual number of reports on private bills, concurrent or simple resolutions, shall not be printed. In lieu thereof there shall be printed of each Senate report on a private bill, simple or concurrent resolution, 345 copies, which shall be distributed as follows: To the Senate document room, 220 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies; and of each House report on a private bill, simple or concurrent resolution, 260 copies, which shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies. *Provided*, That nothing contained in this act shall be construed to prevent the binding of all Senate and House reports in the reserve volumes bound for and delivered to the Senate and House libraries.

Mr. SPOONER. I move to amend the amendment in section 1, page 2, line 23, after the word "libraries," by inserting the following proviso:

*Provided*, That not less than twelve copies of each report on bills for the payment or adjudication of claims against the Government shall be kept on file in the Senate document room.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Printing was, in section 2, page 3, line 6, to strike out:

There shall be printed of each Senate and House private bill 250 copies, which shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; House document room, 100 copies.

And to insert:

There shall be printed of each Senate private bill, when introduced, when reported, and when passed, 300 copies, which shall be distributed as follows: To the Senate document room, 170 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies. There shall be printed of each House private bill, when introduced, when reported, and when passed, 260 copies, which shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies.

The amendment was agreed to.

The next amendment was, in section 2, page 4, line 6, before the word "concurrent," to strike out "private bills;" so as to read:

Of concurrent and simple resolutions, when reported, and after their passage by either House, only 260 copies shall be printed, except by special order, and the same shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## PENSIONS TO FAMILIES OF INDIAN POLICEMEN.

The PRESIDING OFFICER. Resolutions are in order. If there be no concurrent or other resolutions, the routine morning business is closed, and the Calendar under Rule VIII is in order.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 3783) for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. PETTUS. Mr. President, is there a report accompanying that bill?

Mr. McCUMBER. The report is somewhat lengthy, and possibly it would be better that I should make a statement of the conditions surrounding this bill. The bill is for the purpose of granting—

Mr. PETTUS. What committee reported the bill?

Mr. McCUMBER. It has been reported from the Committee on Pensions.

Mr. BATE. Let us have the report read.

Mr. McCUMBER. I have no objection, Mr. President, to the reading of the report. I simply suggested that it is a somewhat lengthy report.

The PRESIDING OFFICER. The report will be read.

The Secretary proceeded to read the report submitted by Mr. McCUMBER, from the Committee on Pensions, on March 7, 1904.

Mr. CULLOM. The report, as was said by the chairman of the committee who made it, seems to be quite long, and if he could make a brief statement comprehending the facts, I think it would be just as satisfactory to the Senate and probably save time. I make that suggestion, if there is no opposition to it.

Mr. BATE. There is no objection to reading the report.

Mr. CULLOM. The only objection is that it is a lengthy one, and I thought the chairman of the committee could probably state the facts much more briefly.

Mr. BATE. I do not want to be tenacious about it, but I think this is one of the cases in which the report ought to be read.

The PRESIDING OFFICER. The Senator from Tennessee asks for the reading of the report. It is in order. The reading of the report will be resumed.

The Secretary resumed the reading of the report.

Mr. BATE. I will not insist on my request.

Mr. COCKRELL. I ask that the remainder of the letter from which the Secretary is now reading be read.

The Secretary resumed and concluded the reading of the letter of T. J. Morgan, Commissioner of Indian Affairs, dated April 12, 1892.

The report in full is as follows:

[To accompany S. 3783.]

Your committee to whom was referred the bill (S. 3783) for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement, submits the following:

The Secretary of the Interior, in a letter dated April 21, 1892, transmitted, with a request for favorable action by Congress, a copy of a communication from the Commissioner of Indian Affairs relative to the granting of pensions to certain Indians of the Standing Rock Agency and a draft of a bill to carry the same into effect. The bill herein reported is in the form submitted by the Secretary of the Interior. The following is the letter from the Secretary of the Interior and all correspondence relating to this matter, the same having been published as Senate Executive Document No. 84, Fifty-second Congress, first session:

DEPARTMENT OF THE INTERIOR,  
Washington, April 21, 1892.

SIR: I have the honor to transmit herewith, with request for favorable action by Congress, copy of a communication of 12th instant from the Commissioner of Indian Affairs, relative to the granting of pensions and medals to certain Indians of the Standing Rock Agency, together with copies of correspondence relating thereto and drafts of bills to carry the same into effect.

Inasmuch as the Indian policemen for whose benefit legislation is asked were at the time a part of the military force under immediate command of General Ruger and Colonel Drum, and their service was demanded and directed solely in accordance with orders of the military authority, which, by special order of the President, had control of this and other military movements, due deference should be paid to the commendation of these officers.

The killing of Sitting Bull was neither demanded nor directed by the Department of the Interior or under its direction.

I have the honor to be, very respectfully,

JOHN W. NOBLE, Secretary.

The PRESIDING OFFICER.

A bill for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pen-



sion laws, the names of the following Indians, and pay each of them a pension at the rate of \$15 per month from the date of the passage of this act, namely:

Mary Bullhead, widow of Henry Bullhead, late Lieutenant, United States Indian police, Standing Rock Agency, N. Dak.

Annie Shavehead, widow of Charles Shavehead, late sergeant, United States Indian police, Standing Rock Agency, N. Dak.

Shell Pipe (Mrs. James Littleeagle), widow of James Littleeagle, late sergeant, United States Indian police, Standing Rock Agency, N. Dak.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the names of the following Indians, and pay each of them a pension at the rate of \$10 per month from the date of the passage of this act, namely:

Catherine Akicitch, widow of Paul Akicitch, late private, United States Indian police, Standing Rock Agency, N. Dak.

Red Deer (Mrs. Hawkman), widow of Hawkman No. 1, late private, United States Indian police, Standing Rock Agency, N. Dak.

Edward Armstrong, son of John Armstrong, deceased, late private, United States Indian police, Standing Rock Agency, N. Dak.

Alexander Middle, who was employed as a United States Indian police at the Standing Rock Agency during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and who subsequently had his left leg amputated by reason of a wound received during said engagement.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, April 12, 1892.

SIR: Under date of March 3, 1891, James McLaughlin, esq., United States Indian agent at the Standing Rock Agency, N. Dak., transmitted to this Office a list showing the names of the United States Indian police of Standing Rock Agency constituting the force which arrested "Sitting Bull" at his camp on Grand River, 40 miles southwest of Standing Rock Agency, on the morning of December 15, 1890, and suggested that a pension of at least \$15 per month be given the families of Lieut. Henry Bullhead, Sergts. Charles Shavehead and James Littleeagle, and \$10 per month to the families of Privates Paul Akicitch, Hawkman No. 1, and John Armstrong, who were killed in the engagement, and to Alexander Middle, who was severely wounded and who has since had his left leg amputated at the kneejoint as a result of said wound; also that each of the thirty-three policemen and four volunteers, survivors of the engagement, receive a medal commemorative of their fidelity. Said agent also transmitted extracts from his report on this engagement for the information of this Office.

Under date of January 15, 1891, this Office received, by Department reference, a communication from the honorable Secretary of War concurring in the views of Gen. Thomas H. Ruger, commanding Department of Dakota, wherein the general states that the conduct of the Standing Rock police was remarkable for fidelity as well as courage, and that some act of the Government in recognition thereof would seem fit as to those directly concerned and expedient for the encouraging effect it would have upon all the Indians of the reservation who desire to conform to the new condition of their lives.

Under date of March 5, 1892, at the request of this Office, said agent furnished this Office with the names of the surviving widows and children of the Indian police who were killed in the engagement at Sitting Bull's camp on Grand River.

Believing that the families of these Indian policemen who were killed in said engagement, and Alexander Middle, who was wounded in said engagement (and who has since had his left leg amputated as a result of said wound), should receive pensions, and also believing that the survivors (thirty-seven in number) of said engagement should each receive medal as a proper recognition of their fidelity to the Government, I have caused to be prepared, and inclose herewith, for the consideration of the Department copies of all the correspondence herein referred to, together with two drafts of bills, one providing for the granting of pensions to the families of the above-named Indians and to Alexander Middle; the other providing for the granting of medals to the survivors of the engagement, with the recommendation that same be transmitted to Congress with a view to securing proper legislation in the premises.

Very respectfully, your obedient servant.

T. J. MORGAN, Commissioner.

The SECRETARY OF THE INTERIOR.

A bill granting medals to certain Indian policemen of the Standing Rock Agency, N. Dak.

Be it enacted, etc., That the sum of \$500, or so much thereof as may be necessary, be, and hereby is, appropriated out of any money in the Treasury not otherwise appropriated to enable the Secretary of the Interior to provide suitable medals of honor for the following-named United States Indian policemen of the Standing Rock Agency, N. Dak., survivors of the engagement which took place at Sitting Bull's camp on Grand River on December 15, 1890, viz:

Marcellus Chankpidutah (Red Tomahawk), second sergeant.

John Wambdi (Eagle Man), fifth sergeant.

Thomas Tunkah (Stone Man), private.

Louis Wahpahah (Hat), private.

Hugh Chetahohonko (Swift Hawk), private.

Luke Ptash (White Buffalo), private.

Alexander Hochokah (Middle), private.

Eugene Akicitchahigala (Little Soldier), private.

Joseph Brown Wolf (Brown Wolf), private.

Paul Hautaymaza (Iron Cedar), private.

John Ishnawichah (Lone Man), private.

Oliver Hehakawaketo (Looking Elk), private.

Dennis Wahpahachiu (Take the Hat), private.

George Iron Star (Iron Star), private.

Richard Runninghawk (Running Hawk), private.

Afraid of Hawk, special policeman.

White Bird, special policeman.

Maggie Eagle, special policeman.

Iron Thunder, special policeman.

Paints Brown, special policeman.

Weasel Bear, special policeman.

Rooster, special policeman.

High Eagle, special policeman.

Good Voiced Eagle, special policeman.

Red Bear, special policeman.

Bad Horse, special policeman.

Cross Bear, special policeman.

Black Pheasant, special policeman.

One Feather, special policeman.

Walking Shooter, special policeman.

Good Voiced Elk, special policeman.

Cetanwicaste (Hawkman No. 2), special policeman.

Brown Man, special policeman.

Gabriel Waublihot (Gray Eagle), volunteer.

Otter Robe, volunteer.

Spotted Thunder, volunteer.

Young Eagle, volunteer.

[Telegram.]

WASHINGTON, December 30, 1890.

To JAMES McLAUGHLIN,

U. S. Indian Agent, Standing Rock Agency, N. Dak.:

Send me report immediately stating exactly order given for police to go to Sitting Bull's camp to arrest him, from whom received and when, and all tending to show origin of order, its nature, the superintendence of its execution, the taking of the body of Sitting Bull, and what disposition was made of it.

JNO. W. NOBLE, Secretary.

[Telegram.]

FORT YATES, N. DAK., December 30, 1890.

HON. SECRETARY OF THE INTERIOR,

Washington, D. C.:

The division commander's order, received on the 12th instant by telegram to the post commander at Fort Yates, directs the latter to "make it his especial duty to secure the person of Sitting Bull and call on the Indian agent to cooperate and render such assistance as would best promote the purpose in view."

After the receipt of this telegram a consultation was held between the post commander and myself, when it was decided that the arrest be made on the twentieth (20th) instant, when most of the Indians of Sitting Bull's camp would be absent from there receiving their rations at agency. Information reached me on the evening of 14th that Sitting Bull was preparing to leave the reservation, which I reported to the post commander, who ordered the arrest made at once, and it was arranged to send the police to the camp for that purpose, and for the troops to leave the post and reach their destination in time to prevent a rescue. Under my instructions to cooperate with the military, and in pursuance of the arrangement between the post commander and myself, I issued the order to the police. My action was governed by previous telegraphic instructions of December 1 and 5 from the Indian Office directing me to cooperate with the military.

Full details with copies of orders and instructions have heretofore been forwarded to Indian Office, but I will send copies, if required, as soon as they can be prepared. The body of Sitting Bull was brought to this agency by the troops and is buried in the Fort Yates military cemetery.

JAMES McLAUGHLIN,  
United States Indian Agent.

[P. B. Night. Collect.]

The above telegram was delivered to the operator, but had not been sent when the telegram of which a copy is given below was received. Copy by mail was sent and the original returned to the agency.

[Telegram.]

WASHINGTON, December 30, 1890.

To JAMES McLAUGHLIN,

United States Indian Agent, Fort Yates, N. Dak.:

Your report has been received, which renders it unnecessary for you to reply further to telegram of this morning.

JOHN W. NOBLE,  
Secretary.

UNITED STATES INDIAN SERVICE,  
STANDING ROCK AGENCY,  
Fort Yates, N. Dak., January 23, 1891.

HON. T. J. MORGAN,

Commissioner of Indian Affairs, Washington, D. C.

SIR: I have the honor to acknowledge receipt of your communication of January 12, 1891, L. 26, 1891, in which, referring to my report of December 24, 1890, it is stated that the authority under which I cooperated and the Indian police acted in the matter of the capture and killing of Sitting Bull on the 15th of December last is not directly stated and specifically set out, and calling for further report in this particular.

I invite a perusal of the concluding paragraph of my report of December 16, in which I state that copies of telegrams showing the authority under which the Indian police were engaged in the arrest of Sitting Bull were inclosed. These copies consist as follows:

(1) Office telegram of December 1, in which the following order appears: "You will, as to the operations intended to suppress any outbreak by force, cooperate with and obey the orders of the military officers commanding on the reservation in your charge."

(2) Office telegram of December 5, 1890, states: "Replying to your telegram of this date Secretary directs that you make no arrests whatever, except under orders of the military or upon an order of the Secretary of the Interior."

(3) Telegram dated December 12, 1890, from General Ruger, commanding the Military Department of Dakota, to Col. W. F. Drum, commanding officer Fort Yates, which is in the following words: "The division commander has directed that you make it your especial duty to secure the person of Sitting Bull. Call on Indian agent to cooperate and render such assistance as will best promote the purpose in view."

Upon receipt of the letter written for Bull Head by John M. Carigan, teacher of the Grand River day school, dated December 14, 1890, 12.30 a. m., a copy of which was furnished with my report of December 16, 1890, Lieut. Col. W. F. Drum, United States Army, commanding Fort Yates, ordered the arrest, and acting under previous instructions to cooperate, I issued the orders to the Indian police directing them to proceed to Sitting Bull's camp and make the arrest the following morning and bring him in toward the agency until they met the troops to which command they were to deliver the prisoner or, escorted by the military, bring him through to the post of Fort

Yates, as might be determined by the officer commanding the detachment of troops. The orders to the police referred to above is in the following words:

[Translation from the Sioux.]

STANDING ROCK AGENCY, N. DAK.,  
December 14, 1890.

**AFRAID OF BEAR AND SHAVE HEAD:**

I am in receipt of the letter you sent by Courier Hawkman, and I have come to the conclusion that the time has come to arrest Sitting Bull. I am afraid that if we should put it off any longer that he will get away from us, so to-night you will proceed to his house and arrest him before daybreak. Louie will lead the troops down on the road you suggested to Oak Creek crossing and stop there—I mean the Sitting Bull and Spotted Horn Bull crossing of Oak Creek, where I told you to build the station—and they will await you there. If anything should happen you will bring the news to the troops immediately.

I am your agent who says this.

JAMES McLAUGHLIN.

("Afraid of Bear" is the same person referred to in the affair as "Bull Head," and the letter referred to as sent by courier is the one written for Bull Head and signed by John M. Carrigan, hereinbefore referred to.)

All preliminary orders given by me to the police were verbal, as well as the orders from Colonel Drum to me. The plan of the arrest, together with the disposition of the police and troops, was decided upon in consultation, both of us concurring after a joint careful study of the situation.

I do not see that I can further improve my reports of December 16 and 24 so as to make more clear the nature of the orders under which I and the police acted in this matter. It was in cooperation with the military, who had determined upon the arrest of Sitting Bull, and in pursuance of Colonel Drum's direct verbal orders, that I gave all final orders to the police, who were, in this case, what may be termed "concomitants of the military."

I invite attention to that part of my report of December 24, commencing at page 6, which details all the preparations made for the final arrest: that these preparations were made, as far as I was concerned, with the full knowledge and by previous arrangement with the post commander and under his instructions.

I submit inclosed copies of correspondence with the honorable Secretary of the Interior for the information of the honorable Commissioner.

I am, sir, very respectfully, your obedient servant,

JAMES McLAUGHLIN,  
United States Indian Agent.

HEADQUARTERS DEPARTMENT OF DAKOTA,  
St. Paul, Minn., January 1, 1891.

SIR: I have the honor to forward herewith a letter received from United States Indian Agent James McLaughlin, of Standing Rock Agency, in reply to a letter from me, in which I stated that I should be glad to do what I might to present for consideration the question of reward for the Indian police taking part in the arrest of Sitting Bull and resisting the attack made on them by his followers in an attempt for his rescue, and also that of provision for the families of the policemen who were killed.

The conduct of these policemen is remarkable for fidelity as well as courage, and some act of the Government in recognition thereof would seem fit as to those directly concerned, and expedient for the encouraging effect it would have upon all the Indians of the reservation who desire to conform to the new condition of their lives.

I make no suggestion as to what action would be advisable in a matter which pertains especially to the Interior Department, my object being principally to add official expression of opinion, in concurrence with that of the commanding officer of Fort Yates, relative to the matter presented.

The list of the policemen who were killed or died of wounds has, as I understand, been reported by the Indian agent, with all the facts, to the Interior Department.

Very respectfully, your obedient servant,

THOS. H. RUGER,  
Brigadier-General, Commanding.

The ADJUTANT-GENERAL, U. S. ARMY,  
Washington, D. C.

(Through Headquarters Division of the Missouri.)

WAR DEPARTMENT, January 13, 1891.

Respectfully referred to the Secretary of the Interior for his information, and concurring in the views of General Ruger.

REDFIELD PROCTOR,  
Secretary of War.

Referred to the Commissioner of Indian Affairs for his consideration and an expression of his views.

J. W. NOBLE, Secretary.

JANUARY 15, 1891.

UNITED STATES INDIAN SERVICE, STANDING ROCK AGENCY,  
Fort Yates, N. Dak., Agency, December 22, 1890.

GENERAL: I have the honor to acknowledge receipt of your letter of the 17th instant, by which you kindly offer to unite in promoting any recommendation for suitable reward to the survivors of the police force in the Grand River fight on the 15th instant, and for provision for the families of the killed. I am very glad to receive this offer, as it shows that the service rendered by the police is recognized by the department commander and that he considers a reward merited. I shall feel grateful for any suggestions which may assist in promoting the object in question.

I have already represented the matter to the Indian Office, with a request that the cooperation of the War Department be secured. I have also furnished to Senator G. A. Pierce, of North Dakota, a full account of the affair (with a copy of the department commander's letter of the 17th instant) with a view to obtaining his action in presenting and supporting a bill in Congress. In the meantime I shall be glad to receive your support in what has already been done by any special representation to the War Department or otherwise, as may be deemed best, and to act upon any suggestion which you think advisable to make, and also to furnish any information that may be needed and in my power to furnish which is not already in the hands of the military authorities.

I am, sir, very respectfully, your obedient servant,

JAMES McLAUGHLIN,  
United States Indian Agent.

Gen. T. H. RUGER,  
Commanding the Department of Dakota, St. Paul, Minn.

[First indorsement.]

HEADQUARTERS DIVISION OF THE MISSOURI,  
Chicago, January 5, 1891.

Respectfully forwarded to the Adjutant-General of the Army.  
E. L. HUGGINS,  
Captain, Second Cavalry, A. D. C.,  
Acting Assistant Adjutant-General.  
(In the absence of the division commander.)

UNITED STATES INDIAN SERVICE,  
Standing Rock Agency, March 3, 1891.

SIR: I have the honor to inclose herewith papers which, as the indorsements indicate, were intended to be handed to United States Senator Pierce, of North Dakota, for the purpose stated in the indorsements, but owing to the adverse criticisms of the press of the country, which was ignorant of the facts, the papers were withheld and not given to Senator Pierce at the time, and since his defeat for reelection as Senator, and it being so near the end of the session of which he is a member, it was considered useless to do so; I therefore send them to the Department, where they may be of some assistance in obtaining relief for the Indian police.

I would respectfully suggest that a pension of at least \$15 per month be given the families of Lieut. Henry Bullhead and Sergts. Charles Shavehead and James Little Eagle; and \$10 per month of privates Paul Akicitch, Hawkman No. 1, and John Armstrong, who were killed in the engagement, and to Alexander Middle, who was severely wounded, and who will probably yet lose his foot, as he is still confined in the hospital and recovery very doubtful; also that each of the 33 policemen and 4 volunteers, survivors of the engagement, receive a medal commemorative of their fidelity, and payment at the rate of \$50 per head for ponies they had killed and those that stampeded during the fight, which latter were subsequently picked up and taken off by the Indians opposed to them, who fled from the reservation at that time.

I am, sir, very respectfully, your obedient servant,

JAMES McLAUGHLIN,  
United States Indian Agent.

Hon. T. J. MORGAN,  
Commissioner of Indian Affairs, Washington, D. C.

Names of the United States Indian police of Standing Rock Agency, N. Dak., constituting the force which arrested "Sitting Bull" at his camp on Grand River, 40 miles southwest of Standing Rock Agency, on the morning of December 15, 1890. (All are full-blood Sioux Indians.)

**ROLL OF HONOR.**

Henry Tataukapah<sup>a</sup> (Bull Head), first lieutenant.  
Charles Kashlah<sup>a</sup> (Shave Head), first sergeant.  
Marcelus Chaukipidutah<sup>a</sup> (Red Tomahawk), second sergeant.  
James Wambdichigalah<sup>a</sup> (Little Eagle), fourth sergeant.  
John Wambdi (Eagle Man), fifth sergeant.  
Thomas Tunkah (Stone Man), private.  
Louis Wahpabah (Hat), private.  
Hugh Chetahohonko (Swift Hawk), private.  
Paul Akicitch<sup>a</sup> (Afraid of Soldier), private.  
Luke Ptasah (White Buffalo), private.  
Alexander Hochokah<sup>b</sup> (Middle), private.  
Eugene Akichitahchigala (Little Soldier), private.  
Joseph Brown Wolf (Brown Wolf), private.  
Paul Hantamaza (Iron Cedar), private.  
John Ishnawichah (Lone Man), private.  
Oliver Hehakawaketo (Looking Elk), private.  
Dennis Wahpahaichu (Take the Hat), private.  
George Ironstar (Iron Star), private.  
Richard Runninghawk (Running Hawk), private.  
Afraid of Hawk, special police.  
White Bird, special police.  
Hawk Man, No. 1,<sup>a</sup> special police.  
Magpie Eagle, special police.  
Iron Thunder, special police.  
Paints Brown, special police.  
Weasel Bear, special police.  
Rooster, special police.  
High Eagle, special police.  
Goodvoiced Eagle, special police.  
Red Bear, special police.  
Bad Horse, special police.  
Cross Bear, special police.  
Black Pheasant, special police.  
John Armstrong,<sup>a</sup> special police.  
One Feather, special police.  
Walking Shooter, special police.  
Good Voiced Elk, special police.  
Cetanwicaste (Hawk Man No. 2), special police.  
Brown Man, special police.  
Gabriel Wanbilhota (Gray Eagle), volunteer.  
Otter Robe, volunteer.  
Spotted Thunder, volunteer.  
Young Eagle, volunteer.

A total of 43 imperfectly armed police, opposed to about 160 Indians of Sitting Bull's followers, whom they routed, driving them from the field and into the adjoining woods, holding the battle ground with all the killed and surviving women and children, also Sitting Bull's corral, which was filled with horses prepared for his flight, and which the ghost dancers made extraordinary efforts to secure, but it was held by the police with great courage and coolness. After having been fighting for about two hours, and securing possession of all the buildings near by, and the attacking Indians being driven from the field at all points, they (the police) carried their dead and wounded into Sitting Bull's house and maintained their organization splendidly.

When the detachment of the Eighth United States Cavalry came in sight on the hill overlooking Sitting Bull's camp, about 1,500 yards distant, the police raised a white flag from the corral to show where they were, but notwithstanding this a shell was thrown from a Hotchkiss gun which struck and exploded a few rods from them, upon which Red Tomahawk paraded his men to show who they were, but their identity could not be established by the officers from that distance, and the latter, believing them to be hostiles, caused another shell to be thrown, which exploded about 4 rods from the police, whereupon Red

<sup>a</sup> Dead.

<sup>b</sup> Wounded.



Tomahawk mounted a horse and taking a white flag rode out to the command to save further mistake; and when Lieut. S. A. Slocum, commanding F Troop, Eighth Cavalry, arrived on the ground, Sergt. John Engleman, then in charge, paraded the policemen, aligning them directly in front of the dead, advanced to the front of his column, and saluted on the approach of the command.

There were one lieutenant and four sergeants of the police force in the engagement, and at the first fire Lieut. Bull Head and First Sergt. Shave Head were severely wounded and Fourth Sergt. Little Eagle killed. Red Tomahawk, second sergeant, then assumed command, which he conducted with great skill and courage throughout the remainder of the fight. He was ably assisted by Fifth Sergt. Eagle Man, who remained near him, and by Gray Eagle, a volunteer, who took charge of the party holding the corral filled with horses belonging to the Sitting Bull Indians. In a word, every man did his duty unflinchingly, entitling them to some especial recognition for their great services, as this battle, upholding the authority of the Government, should go down to history as one of the most remarkable on record, showing the fidelity and loyalty of the Indian police in obeying orders and maintaining the integrity of the Government against their own people, some of them having fathers and brothers in the ranks opposing them.

The police had no men to spare to hold their horses, and being all obliged to dismount to be of the most service, and their horses being left untied, ten of them, with saddles, were taken by the Sitting Bull Indians, and four horses were killed during the fight. The police also took off their overcoats so as to be better prepared for what might arrive, and left them with their blankets tied to the saddles taken by the hostiles. All these articles and horses being taken are lost to the police.

JAMES McLAUGHLIN,  
United States Indian Agent.

STANDING ROCK AGENCY, N. DAK.,

December 20, 1890.

NOTE.—Horses, saddles, bridles, blankets, and overcoats were private property of police.

Extracts from the report of James McLaughlin, United States Indian agent, on the engagement of the morning of the 15th December, 1890, between the Indian police of the Standing Rock Agency and hostile Indians at Grand River, N. Dak., upon the occasion of the arrest of Sitting Bull by the agency police.

[Telegram.]

FORT YATES, N. DAK., December 15, 1890.

COMMISSIONER INDIAN AFFAIRS,

Washington, D. C.:

Indian police arrested Sitting Bull at his camp 40 miles southwest of agency this morning at daylight. His followers attempted his rescue and fighting commenced. Four policemen killed and three wounded. Eight Indians killed, including Sitting Bull and his son, Crow Foot, and several others wounded. Police were surrounded for some time, but maintained their ground until relieved by United States troops, who now have possession of Sitting Bull's camp, and all women, children, and property. Sitting Bull's followers, probably 100 men, deserted their families and fled west up Grand River. Police behaved nobly and great credit is due them. Particulars by mail.

McLAUGHLIN, Agent.

STANDING ROCK AGENCY, N. DAK., December 16, 1890.

SIR: The troops left Fort Yates at 12 p.m. on the night of Sunday the 14th instant, for Grand River, with Louis Prineau as guide, and my Indian police, who were then at Grand River or en route, were instructed to arrest Sitting Bull when the troops were sufficiently near to afford them protection in case of resistance to the arrest.

At daybreak on Monday morning, the 15th, the police went to Sitting Bull's camp, direct to his house, and surrounded it. A detail was sent into the house, where Sitting Bull was sleeping on the floor, the remainder staying outside. They aroused him and announced their purpose, at the same time raising him to a sitting position. He at first seemed inclined to offer no resistance, and they allowed him to dress, during which time he changed his mind, and they took him forcibly from the house. By this time the police were surrounded by Sitting Bull's followers, members of the "ghost dance," and the first shot was fired by Catch the Bear, one of the hostiles, and the lieutenant of police, Henry Tataukapah (Bull Head), who was in command of the detachment of forty-two men, was struck. The fighting then became general; in fact, it was a hand-to-hand fight. Sitting Bull was killed, shot through the body and head in the early part of the fight by Bull Head and Marcus Chankipidutah (Red Tomahawk), who each shot at him. Four policemen were killed outright and three wounded, one of the latter dying at the agency hospital this morning after his removal there. Bull Head, the lieutenant of police, is dangerously wounded, but may recover.

The hostile Indians lost eight killed and several wounded and were driven from the field by the police; they fled up Grand River, leaving their wives and families and all their property and dead behind them. Two troops of the Eighth United States Cavalry (100 men) arrived on the ground immediately after the fight, which had occupied less than half an hour, and took possession of the camp, its inhabitants, property, and dead. The military did not pursue the fleeing hostiles, and the latter will no doubt fall into the hands of some one of the commands moving at the different points west or south of the agency.

The details of the battle show that the Indian police behaved nobly and exhibited the best of judgment and bravery, and a recognition by the Government for their services on this occasion is richly deserved and should be promptly given, with a substantial allowance for the families of those who are dead and also for the survivors, to show that the Government recognizes the great service that has been done for the country in the result of yesterday's fight.

<sup>a</sup> Number of regular Indian police, 19; special police (Indians), 20; volunteer Indians, 4; total engaged in arrest, 43.

<sup>b</sup> See Captain Fechet's report, extract attached.

<sup>c</sup> Three of the number had been sent to some other point on special duty, reducing this number to 39.

<sup>d</sup> The troops, it has been ascertained, did not arrive until two hours after the commencement of the fight, showing that the police held their position.

I respectfully urge that the Interior Department cooperate with the War Department in obtaining Congressional action which will insure to these brave survivors and to the families of the dead a full and generous reward. Besides the Indian police there were four volunteers, viz, "Gray Eagle," "Spotted Thunder," "Otter Robe," and "Young Eagle," who participated in the fight, rendering good service and deserving like recognition. "Gray Eagle" (Gabriel Wamblihotah) is one of the judges of the court of Indian offenses, and his two sisters are Sitting Bull's wives. Until about seventeen months ago he was Sitting Bull's main support.

#### CASUALTIES IN THE POLICE FORCE.

Henry Tataukapah (Bull Head), first lieutenant in command, dangerously wounded, four wounds. (Since dead.)

Charles Kashlah (Shave Head), first sergeant, mortally wounded. (Since dead.)

James Wambdichigalah (Little Eagle), fourth sergeant, killed.

Alexander Hochokah (Middle), private, painfully wounded.

Paul Akichitah (Afraid of Soldier), private, killed.

John Armstrong, special police, killed.

Hawk Man No. 1, special police, killed.

A large majority of the Indians of this agency are loyal to the Government, and universal satisfaction is expressed by them, as it ends the ghost craze here.

While this conflict, causing the loss of some of our best (noble and brave) policemen, is to be very much regretted, yet the great good accomplished by the ending of Sitting Bull's career, whose influence has been of such a retarding nature, and the determination of the police manifested in maintaining the will of the Government is most gratifying.

I am, etc.,

JAMES McLAUGHLIN,  
United States Indian Agent.

Hon T. J. MORGAN,

Commissioner of Indian Affairs, Washington, D. C.

Extracts from the report of Capt. E. G. Fechet, Eighth Cavalry, commanding the detachment of cavalry sent to Grand River on the morning of December 15, 1890, to aid Indian police in case of resistance in the arrest of Sitting Bull.

FORT YATES, N. DAK., December 17, 1890.

SIR: \* \* \* The command moved out at midnight the 14th, and by rapid marching was, by daylight, within 3 miles of Sitting Bull's camp, which is fully from 41 to 42 miles from Fort Yates. After daybreak I expected every minute to meet the Indian police with Sitting Bull their prisoner, it having been arranged by Major McLaughlin, Indian agent, that they would make a descent upon Bull's camp about daybreak, arresting Bull and delivering him to me for conduct to the post. It will be seen by reference to the first paragraph of the order referred to that the command was to proceed only to the crossing of Oak Creek, which was 18 miles from Sitting Bull's camp. After receiving this order, on consultation with Colonel Drum, commanding the post, it was decided to move as close to Bull's camp as possible without discovery, and there await the police. A short time after dawn a mounted man was discovered approaching rapidly. This proved to be one of the police, who reported that all the other police had been killed. The substance of his report, with additional statement that I would move in rapidly and endeavor to relieve any of the police who might be alive, I forwarded to the commanding officer.

The command was moved with all possible speed to a point on the highlands overlooking the valley of Grand River and immediately opposite Sitting Bull's house and the camp of the ghost dancers, distant some 1,500 yards.

Upon arriving at this place I found evidences of a most desperate encounter between the agency police and Sitting Bull's followers. In the vicinity of the house, within a radius of 50 yards, there were found the dead bodies of eight hostiles, including Sitting Bull; two horses were also killed. Within the house there were found four dead and three wounded policemen.<sup>b</sup> It was learned through the interpreter that the hostiles had carried away with them one of their dead and five or six of their wounded, making an approximate total of fifteen casualties.

From the best evidence obtainable I am led to believe that the Indian police, under the command of Bull Head and Shave Head, about fifty strong, entered Sitting Bull's camp about 5.30 a. m. on the 15th for the purpose of making the arrest of Sitting Bull. Sitting Bull was taken from his house, and while the police were parleying with him, endeavoring to induce him to submit peacefully, Bull Head was shot by Catch the Bear in the leg.

Bull Head immediately shot and killed Sitting Bull, when the mêlée became general, with the results given. The fight lasted but a few moments, when the police secured the house and stable adjoining, driving Sitting Bull's men from the village to cover in the adjoining wood and hills. From these positions the fight was kept up until about 7.30 a. m., when the troops came up. I learn that soon after the occupation of the house and stable by the police, volunteers were called for to carry a report of the situation back to the approaching troops. Hawk Man offered to perform this perilous service, and at the imminent risk of his life, assisted by Red Tomahawk, he effected his escape, being shot through his coat and gloves while engaged in the attempt. This was the first scout met by the command.

I can not too strongly commend the splendid courage and ability which characterized the conduct of the Indian police commanded by Bull Head and Shave Head throughout the encounter. The attempt to arrest Sitting Bull was so managed as to place the responsibility for the fight that ensued upon Sitting Bull's band, which began the firing. Red Tomahawk assumed the command of the police after both Bull Head and Shave Head had been wounded, and it was he who, under circumstances requiring personal courage to the highest degree, assisted Hawk Man to escape with a message to the troops.

After the fight no demoralization seemed to exist among them, and they were ready and willing to cooperate with the troops to any extent desired.

E. G. FECHET,  
Captain, Eighth Cavalry, Commanding.

The POST ADJUTANT.

<sup>a</sup> Sitting Bull's house.

<sup>b</sup> These had been taken inside by their brother policemen.

<sup>c</sup> Thirty-nine police; four volunteers.

HEADQUARTERS DEPARTMENT OF DAKOTA,  
St. Paul, Minn., December 17, 1890.

SIR: Referring to telegram of this date from the commanding officer Fort Yates, recommending that some recognition and reward should be bestowed on your Indian police for their fidelity and bearing in the arrest of Sitting Bull and the consequent encounter with his followers, it will give me pleasure to unite with you in promoting any recommendation you may make for suitable reward to those who are entitled, and provision for the families of those who were killed.

Very respectfully, your obedient servant,

THOS. H. RUGER,  
Brigadier-General, Commanding.

Maj. JAMES McLAUGHLIN,  
United States Indian Agent.  
(Through commanding officer Fort Yates, N. Dak.)

UNITED STATES INDIAN SERVICE,  
Standing Rock Agency, March 5, 1892.

SIR: I have the honor to acknowledge receipt of office letter of February 26, 1892 (Land 1931, 3383, 3391, 9189, 9191), calling for the names of the surviving widows, mothers, or dependent minor children of the Indian police who were killed in the engagement at Sitting Bull's camp on Grand River, December 15, 1890, etc.

In reply I respectfully invite attention to the following list:

Name and rank of policeman killed.	Names of surviving widows, mothers, or dependent minor children of the deceased.	Age.	Relationship to deceased.
Henry Bullhead, lieutenant.	Mary Bullhead	41	Widow.
	Ada Bullhead	9	Daughter.
	John Bullhead	4	Son.
	Peter Bullhead	69	Father.
	Mary Bullhead	67	Mother.
Chas. Shavehead, sergeant.	Annie Shavehead	42	Widow.
	Jerome Shavehead	16	Son.
	Frances Shavehead	14	Daughter.
	Benedict Shavehead	10	Son.
	Mary Shavehead	9	Daughter.
	Joseph Shavehead	6	Son.
	Henry Shavehead	1	Do.
James Littleeagle, sergeant.	Shell Pipe (Mrs. James Littleeagle).	49	Widow.
	Henry Littleeagle	16	Son.
Paul Akicitah, private.	Catherine Akicitah	56	Widow.
	Alfred Akicitah	9	Son.
Hawkman No. 1, private.	Lucy Tinza (married)	25	Daughter.
	Red Deer (Mrs. Hawkman).	80	Widow.
	Lena Hawkman	12	Daughter.
	Anna Hawkman	10	Do.
John Armstrong, private.	Edward Armstrong	10	Son.

Alexander Middle, who was wounded by a shot in the left foot in the same engagement, has lately had his left leg amputated at the kneejoint, resulting from the wound. He certainly should be pensioned, as he has a wife and two adopted children, aged 15 and 7, respectively, dependent upon him.

The medals, as recommended in my letter of March 3, 1901, will have an excellent effect, and I strongly urge that they be furnished for the full number of 43 participants in the engagement, those for the dead to be given to their children.

I am, sir, very respectfully, your obedient servant,

JAMES McLAUGHLIN,  
United States Indian Agent.

Hon. T. J. MORGAN,  
Commissioner of Indian Affairs, Washington, D. C.

The passage of this bill is recommended when amended as follows:  
In line 7, page 1, of the bill strike out the word "fifteen" and insert in lieu thereof "twelve."

In line 8, page 2, of the bill strike out the word "ten" and insert in lieu thereof "twelve."

In line 16, page 2, of the bill strike out the semicolon before the word "Alexander" and insert: "Provided, however, That."

In line 21, page 2, of the bill, after the word "engagement," add the following: "shall be paid a pension of \$20 per month from the date of the passage of this act."

Mr. McCUMBER. Mr. President, I think it proper to make a very brief statement with respect to this bill.

It is to pension the families of those Indian policemen who were killed in the capture of Sitting Bull and also those who were wounded in that conflict. The Department of the Interior directed the agent at Standing Rock, at the time of these troubles, to cooperate and be under the direction of General Ruger, then in command of the division of the Territory of Dakota. A command was given by the commanding officer to arrest Sitting Bull at his camp. To carry this command into effect, the agent was directed to select a number of Indian police, together with special police, who were gathered together for that purpose. They numbered about 41. The band of Sitting Bull at that time numbered, I believe, about 160. The arrest was made, but while an attempt was being made to induce Sitting Bull to yield without making any resistance, the policeman in charge was killed or was shot or wounded.

A battle immediately ensued between the 41 Indian policemen and the 160 Indians under Sitting Bull. It lasted for about two hours. The result of the conflict was that seven of the policemen, I think, were killed outright and others were wounded. Sitting Bull's followers were defeated, and his stores, horses, etc., captured.

I desire to state particularly that these Indian policemen, under the direction of the Department of the Interior and under the command of the officer in charge, General Ruger, were

practically mustered into the service of the United States for the purpose of securing Sitting Bull and his provisions, etc. This has been recommended not only by General Ruger, but also by the Department of the Interior. We have amended the bill so that it simply places all upon the same footing, namely, \$12 a month, except in the case of the policeman who lost his leg and is still surviving. He is placed at the rate of \$20 a month, a little less than what is usually accorded in such cases, I believe.

Mr. TILLMAN. Mr. President, I rise for the purpose of asking the chairman of the Committee on Pensions in what respect these Indian police differ from the Filipino constabulary. I heard him say in his explanation that these men were practically in the military service, but they were not in the military service. While I am not objecting to this matter at all, I had occasion to introduce a bill to pension the dependent mother of a gallant soldier from South Carolina who had been in the Army three years, who made an admirable record, so much so that he was given a position as a lieutenant in the constabulary in the Philippines, and who was killed in the line of duty, practically in the military service of the United States. A pension was refused his dependent mother.

I really think the two are on all fours, and I do not see why one should get a pension and the other not, especially when one is a white man and the other an Indian.

Mr. McCUMBER. These Indians were not simply practically in the military service, but they were actually in the military service.

Mr. TILLMAN. So was this Filipino constable.

Mr. McCUMBER. And not only under the command and direction of the Secretary of the Interior, but under the command of the War Department. They were in fact mustered into the service and performed service in that engagement. The claim is certainly a very just one.

Answering briefly the statement of the Senator in reference to the person who was in the constabulary in the Philippines, I believe, as I now remember, that the committee found that he was not in military service at the time, and that the constabulary were not under the military wing at that time.

Mr. TILLMAN. I want to say—

Mr. McCUMBER. And that being the case, under the rules it was absolutely necessary to reject the application in that particular case.

It had full and fair consideration. It was found to be entirely outside of the rules, and if we opened up our rules to allow cases of that kind, there is no telling the number of applicants who would come in for pensions who were not really in the Army or serving in the Army.

Under the rules of the Committee on Pensions, though one is not a regularly enlisted soldier, if he actually served at the time in the Army and received wounds or disabilities while he was serving he is entitled to a pension. In the case of the constabulary in the Philippines, they were not under the arm of the military at that time, as I remember.

Mr. TILLMAN. Mr. President, I have not the papers, because they are on file in the Committee on Pensions, but I will state my recollection of the facts. I want to ask the Senator from North Dakota whether it is not true that the Filipino constabulary are under the military orders of the Army over there? Are they not under the orders of the commanding general and of those who have charge of our forces?

Mr. McCUMBER. I understand they are not. But though they might have been at that time, in the particular instance that is referred to by the Senator the party who was killed was not under the orders of the Army.

Mr. TILLMAN. All I know, as I recall the facts, is that this officer met his death gallantly. He had a military burial. I have letters which are with the Pension Committee which show that the Pension Office itself plainly expressed an earnest desire that the pension should be granted, but that technically the law prohibited it, because he was not in the military service. Now, these men were not in the military service.

Mr. McCUMBER. I beg to differ with the Senator. They were in the military service—

Mr. TILLMAN. Oh, well.

Mr. McCUMBER. As the Senator will see by reading the report.

Mr. TILLMAN. The Senator would not let the report be read, and his explanation does not explain.

Mr. McCUMBER. That portion of the report was read. I did not object in any way to the report being read, and I am willing that its reading shall be finished if the Senator desires that it shall be.

Mr. TILLMAN. When the Senator's statement does not parallel the fact, we must object to his deduction.

Mr. McCUMBER. On the very first page, which has been read,



and which the Senator undoubtedly understood, are these words from John W. Noble:

Inasmuch as the Indian policemen, for whose benefit legislation is asked, were at the time a part of the military force under immediate command of General Ruger and Colonel Drum, and their service was demanded and directed solely in accordance with orders of the military authority, which, by special order of the President, had control of this and other military movements, due deference should be paid to the commendation of these officers.

I do not know how anything could be made more clear.

Mr. TILLMAN. I am not objecting to this bill at all. I am only complaining of the discrimination. I do not charge it, but it looks that way. These Indian scouts or policemen were there alone. General Ruger was, I do not know how many, miles away. They went in and undertook to capture Sitting Bull and succeeded in defeating him, as the Senator has just said.

Now, this Filipino scout I speak of, or this member of the constabulary, was killed under expressly similar conditions. Practically he was in the service of the military of the United States. He had been for four years. He had just been mustered out and given a position as lieutenant; and yet he is turned down. I do not want to see these people kept from getting a pension, but it is strange that it takes ten or twelve years to get it. This letter from Secretary Noble was written in 1892. Why should it be delayed so long if there is not a hitch somewhere? Why does it take a special bill to do it? And when I bring in a special bill here to give the dependent mother of a man from the South the same privileges it is kicked overboard.

Mr. McCUMBER. A great many bills have been delayed more than ten years.

Mr. PLATT of Connecticut. May I call the attention of the Senator from South Carolina to what Mr. McLaughlin, the Indian agent, says about these police? He says the police "were, in this case, what may be termed concomitants of the military."

Mr. TILLMAN. Ah! The constabulary in the Philippines are certainly concomitants or allies or something else of the military. I am not attacking the Pension Committee, and there is no need for the Senator from Connecticut to aid the Senator from North Dakota. I simply say here is a direct proof to my mind that there is discrimination in these two cases.

I was obtuse. I am now told by a Senator that the Senator from Connecticut was endeavoring to take my side of the case. But I am not a hair-splitting lawyer, and the very fact that he went into the debate gave me a kind of an idea that possibly he was agreeing with his friend in his rear.

Let these people have their pensions, but all I contend for is that when conditions arise in the Philippines in which a gallant soldier, who has merely been transferred from the regular service to the irregular service—a constable—is killed under military orders in the line of duty, let his relatives get a pension. I hope the Senator will take up our bill and find some merit in it after he has passed this one.

Mr. McCUMBER. If the Senator can establish to the satisfaction of the committee that the individual for whom he pleads was killed while in the service of the United States—

Mr. TILLMAN. He was killed as a concomitant in aid of the service of the United States.

Mr. McCUMBER. And under military orders, in any possible way, there is no question but that a bill will be favorably reported.

Mr. TILLMAN. If the Senator will put on the same spectacles which enable him to see the merits of this case, I will not have a word to say.

Mr. McCUMBER. I think I can see the merits of the case, and I think the unanimous report of the Senate Committee on Pensions will justify me in saying that we have attempted in every possible way to do exact justice to the party referred to. The evidence shows, and there is no dispute about it, that the constabulary were not under the control of the Army at that time, and that this individual did not lose his life under military orders or in the military service. Had he done so, his case would have come clearly within the rule.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. McCUMBER. I will yield again, if the Senator wishes.

Mr. TILLMAN. I want him to get through.

Mr. McCUMBER. But I wish the Senator to understand that there has been no discrimination made as against the interest of any soldier or anyone acting under the Government simply because he came from one section of the United States and not from another, as implied by the Senator's remarks.

Mr. TILLMAN. If the Senator is sensitive about my hint that there might be some reason—

Mr. McCUMBER. I am not sensitive about it at all.

Mr. TILLMAN. Found in the fact that this man whom I am trying to represent came from South Carolina, while these Indian widows come from North Dakota, I beg to apologize and to withdraw the intimation even that he and his committee are not trying to deal fairly. I am merely speaking about the broad fact. The Senator knows that the constabulary of the Philippines are a part of the military service, because the entire Philippines are under the military service. There is no civil government there. It is nothing more than a humbug and a pretense at the present time.

Mr. McCUMBER. I supposed the Philippine Islands were under civil rule and not military rule at the present time. If the Senator can convince me otherwise—

Mr. TILLMAN. The Senator's supposition is contrary to the fact, and I can not help the Senator's supposition. The Senator ought to know, if he knows anything, that the Philippines are under the War Department.

Mr. McCUMBER. I supposed there was a Commission which, under the law of Congress, was practically governing the Philippine Islands at the present time—

Mr. TILLMAN. They are making a pretense of giving a civil government.

Mr. McCUMBER. And that they are not under military law.

Mr. TILLMAN. They are giving a pretense of civil government, but the actual fact is that the War Department controls.

Mr. McCUMBER. It is a civil government de facto at least.

Mr. TILLMAN. It is a military government de facto, with a sham of civil government.

Mr. McCUMBER. I will ask the Senator if he has any objection to this bill?

Mr. TILLMAN. I have no objection to this bill, but I want the Senator to get the same spectacles or microscope or other instrument with which he discovered the merits of this case and look at the one I presented.

Mr. McCUMBER. I think we have done that.

Mr. TILLMAN. They are on all fours.

Mr. McCUMBER. We have done so.

Mr. LODGE. I want to ask a question for information from the Senator from North Dakota, the chairman of the Committee on Pensions. I understand that the bill to which the Senator from South Carolina refers asked for a pension for a dependent mother.

Mr. TILLMAN. Yes.

Mr. LODGE. I should like to ask the chairman of the committee if it is the practice of that committee to grant pensions to dependent mothers, because I have had some such cases and was told they were all against the rule.

Mr. McCUMBER. They do not come within our rule ordinarily, unless the rule—

Mr. TILLMAN. This is not an ordinary case, or these people would have been pensioned twelve years ago. This is an extraordinary case, in which the people are not pensionable under the statute, and you bring in a special bill to give them a pension, and you put on your spectacles and see merit in it. Now, put on the same spectacles and you will see merit in the other case, for they were concomitants, or aids, or assistants, or participants, or part of the Army of the United States.

Mr. McCUMBER. I can only say that the evidence does not establish the assertion of the Senator from South Carolina.

Mr. TILLMAN. Mr. President—

Mr. McCUMBER. If it did, it would present an entirely different case.

Mr. TILLMAN. The Senator says the horse is 16 hands high. I will subside, hoping later on I will get justice for this woman whose son was killed in the line of duty and who has young children dependent upon her. This boy was the mainstay of the family, and he is dead in the Philippines, and I can not get justice from the Committee on Pensions.

Mr. McCUMBER. The trouble is he was not killed in the line of duty and under the Army.

Mr. TILLMAN. He was killed as much in the line of duty as these Indians were.

Mr. McCUMBER. Oh no; not at all.

Mr. TILLMAN. The Senator sees it that way, and he does not want to see it any other way, and he will not see it any other way.

Mr. McCUMBER. I can not see it any other way than as the facts establish it.

Mr. TILLMAN. I dispute the Senator's interpretation of the facts.

Mr. McCUMBER. How is that?

Mr. TILLMAN. I dispute your interpretation of the facts.

Mr. McCUMBER. The facts were so established before the Committee on Pensions.

But I understand the Senator has no objection to the pending

bill. We will take up his bill any time he wants a rehearing before the Committee on Pensions, and if he can establish that his assertions are correct the Senate committee will be very glad to listen to him.

Mr. TILLMAN. On that understanding I will be very glad to let this bill go through, because I think the Senator from North Dakota will see this matter in a different light now that he has discovered concomitant aids to the Army who are pensionable.

Mr. SPOONER obtained the floor.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. The Senator from Wisconsin has been recognized.

Mr. SPOONER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I thank the Senator from Wisconsin. I shall take just a moment, that the record may be correct.

I think the Senator from North Dakota inadvertently made a response to the Senator from Massachusetts that ought at least to be qualified. I understood the Senator from North Dakota to say, in response to the Senator from Massachusetts, that dependent mothers were not pensioned.

Mr. McCUMBER. No; I did not intend, at least, to say that.

Mr. GALLINGER. They are pensioned under the general law, and if a dependent mother were denied a pension at the Bureau under circumstances that appealed to the Committee on Pensions, of course a bill for her relief would be taken up precisely as any other bill would be.

I simply want the record to stand correct in that regard.

Mr. SPOONER. I am inquiring only for information. I should like to ask the Senator from North Dakota what the real relation of the Indians was to the military service. Does he claim that they were mustered into the service of the United States?

Mr. McCUMBER. Under orders of the War Department, and also under the direction of the Secretary of the Interior, that they should act under the orders of the Army, they did so. The report is here, but it is quite lengthy. Many telegrams are printed in the report, and there is other correspondence. The portion which I read from the letter of Secretary Noble I thought was sufficient—

Mr. SPOONER. I was not in the Chamber when that was read. They were, then, Indian police?

Mr. McCUMBER. Indian police and commanded to respond to the orders of General Ruger, who was then in command; and they did so, and he ordered them to arrest Sitting Bull. The battle, in which some seven of them, I think, were killed, was a result of the attempt, and the successful attempt, to capture Sitting Bull and his band.

Mr. SPOONER. That would not put them in the military service of the United States. But I make no point on that at all.

I wish to ask the Senator a question. This bill gives a pension to Mary Bullhead, Annie Shavehead, Mrs. Littleeagle, and one or two other widows. A long time has elapsed since this engagement, and I should like to inquire whether these ladies are still in a state of widowhood, or whether they have since been beguiled into matrimony?

Mr. McCUMBER. I understand they have not been so beguiled.

Mr. SPOONER. They are still widows?

Mr. BEVERIDGE. Have they been coerced?

Mr. TILLMAN. Is there any evidence in the report to that effect?

Mr. SPOONER. They are still widows?

Mr. McCUMBER. That is the latest information we had on the subject. When this report was made they were widows. If they have been married since, it is without my knowledge.

Mr. SPOONER. The presumption of law is, I suppose, that they are still widows?

Mr. McCUMBER. That they still remain widows. It would be among white people, anyway.

Mr. SPOONER. So much for that. I should like to ask the Senator whether these sons who are named here—I suppose they are still sons—are minors or adults? They were perhaps minors in 1890. Are they minors now?

Mr. McCUMBER. I ask the Senator where he finds the word "sons;" what page?

Mr. SPOONER (reading). "Edward Armstrong, son of John Armstrong, deceased, late private, United States Indian police, Standing Rock Agency, N. Dak." John Armstrong is in line 17, page 2.

Mr. McCUMBER. Yes. I understand he himself was one of the Indian police, and, of course, was not a minor at the time. There were two Armstrongs, and it designates him particularly. There being another Armstrong, he is mentioned as the son of

John Armstrong. As I remember, he was among the police. It is simply descriptive of the individual, and nothing else.

Mr. SPOONER. That is it?

Mr. McCUMBER. That is it.

Mr. SPOONER. Then it is not proposed to give a pension to children?

Mr. McCUMBER. Not at all; only to the police.

Mr. SPOONER. I should like to ask the Senator if it would not do just as well, in order to avoid a question which may become a troublesome one, and especially in its relation to the Indian Service, to appropriate a sum of money, to be expended from time to time under the supervision of the Secretary of the Interior for the benefit of these people, as to put them regularly on the pension list?

Mr. McCUMBER. The effect would be exactly the same—

Mr. SPOONER. No.

Mr. McCUMBER. So far as the Indians are concerned.

Mr. PLATT of Connecticut. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Certainly.

Mr. PLATT of Connecticut. In this report, on the last page and next to the last page, under date of March 5, 1892, Mr. McLaughlin, the Indian agent, reports—

Mr. McCUMBER. What page?

Mr. PLATT of Connecticut. The names will be found on the last page of the report.

Mr. SPOONER. Yes; I see that.

Mr. PLATT of Connecticut. That Jerome Shavehead, who is to be pensioned by this bill, was a son, at that time 16 years old. He would now be 28. And Henry Littleeagle was also another son, the son of James Littleeagle, and he was 16 years old at that time. He would be 28 now.

Mr. SPOONER. Edward Armstrong?

Mr. PLATT of Connecticut. Edward Armstrong was 10 years old at that time. This was in 1892. This is 1905. He would be 23 now.

Mr. SPOONER. My friend the Senator from North Dakota must be mistaken in his statement that they were all policemen. They would not have an Indian policeman 10 years old.

Mr. PLATT of Connecticut. No; John Armstrong was the policeman.

Mr. SPOONER. Yes; I know.

Mr. PLATT of Connecticut. He was killed. Edward Armstrong is a son, who, in 1892, was 10 years old and now is 23 years old.

Mr. SPOONER. But the Senator was under the impression that Edward Armstrong was the policeman and that he was characterized as the son of John Armstrong. It was simply the purpose to identify him.

Mr. McCUMBER. I do not understand now that the bill covers anything but those who were policemen. The similarity of the names occurs on page 12, but as I now recollect it, it was simply to show the number and the names of the families of those who were killed. I do not understand that any names in the bill are the names of the dependent children. That is not my understanding.

Mr. SPOONER. It is not a pension to John Armstrong, because the bill shows that John Armstrong has departed this life.

Mr. CULLOM. I appeal to my friend from North Dakota to let the bill go over until we can look at it further and bring it up again at some future time. There seems to be a great deal of confusion about the facts.

Mr. PLATT of Connecticut. Before that is done I wish to say a word about it. I have a great deal of sympathy for the families of these Indian policemen who were killed, and I would be very glad if the Government would in some way make some substantial recognition or reward. But I do think it is very questionable whether we ought to pass a bill pensioning people who suffered under such circumstances, and their widows and children. If the bill is going over, I would ask that the Committee on Pensions take into consideration the question whether we can not render suitable recognition and reward to these persons without making this precedent as to whom we will pension.

Mr. McCUMBER. We already have the precedent.

Mr. CULLOM. In view of what the Senator from Connecticut says, I think the bill had better go over for the present.

Mr. McCUMBER. If there is any objection, of course it will go over. It is before the Senate by unanimous consent, and if any objection is made it will naturally go over.

The PRESIDING OFFICER. Objection being made, the bill will go over.

Mr. McCUMBER. I should like to say simply one word in reference to the precedent. We are establishing precedents of that character every day in our special pension legislation.



Mr. PLATT of Connecticut. I know; pensioning nurses, scouts, teamsters, and wagon masters.

Mr. McCUMBER. But I am simply taking those who acted under the Army and under the orders of the Army and who lost life or became injured while acting in the service of the United States. There is a rule covering specifically those cases. Otherwise they could go direct to the Department and receive pensions.

Mr. PLATT of Connecticut. But this is passing a bill for a class. We had up here the other day a bill for the relief of telegraph operators who served in the civil war, proposing to declare them to be a portion of the Army.

Mr. McCUMBER. No; it did not declare them to be a portion of the Army.

Mr. PLATT of Connecticut. I beg the Senator's pardon; if he will look at the bill I think he will find that it does declare them to be a portion of the Army.

Mr. McCUMBER. The bill could not make them a portion of the Army. It could not be retroactive and make them a portion of the Army if they were not a portion of the Army at the time.

Mr. PLATT of Connecticut. It declares them to have been a portion of the Army at the time.

Mr. CULLOM. In the interest of ascertaining the exact facts in reference to these persons and that Senators may be sure about the facts I suggest that the bill go over.

Mr. McCUMBER. If there is objection, of course the bill will have to go over.

Mr. SPOONER. I will not object to the bill.

Mr. CULLOM. I do not object to the bill either, but I object to its consideration now without a certain state of the case being known.

The PRESIDING OFFICER. Under objection, the bill goes over.

#### HOUSE BILL REFERRED.

H. R. 16284. An act to transfer Fayette County from western to southern judicial district of Texas was read twice by its title, and referred to the Committee on the Judiciary.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. CULLOM. I ask the Senate to proceed to the consideration of the legislative, executive, and judicial appropriation bill.

There being no objection, the Senate resumed the consideration of the bill (H. R. 15895) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1906, and for other purposes.

Mr. CULLOM. We adjourned yesterday evening for want of a quorum during the consideration of a point of order as to the admissibility of the amendment of the committee, on page 33, line 23, increasing the salary of the Civil Service Commissioners from \$3,500 to \$4,000 each. The Senator from Arkansas [Mr. BERRY] made the point of order. I think so far as I am concerned at least, and I have consulted with some other friends, that probably the Chair ruled correctly. I think in addition to that the Senate was of the same opinion by a considerable majority. I am not disposed to pursue the matter any further. If we can withdraw the call for the yeas and nays the amendment may be disposed of according to the ruling of the Chair.

Mr. BERRY. That is entirely satisfactory. The Chair can just rule upon the question of order.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent that the call for the yeas and nays on the point of order upon the amendment be withdrawn. Is there objection? The Chair hears none. The question is submitted to the Chair by the Senate whether the point of order made by the Senator from Arkansas, that the proposed amendment changes existing law and makes an appropriation for which no estimate had been made, shall be sustained. The Chair holds that the point of order is well taken.

Mr. CULLOM. I do not contest the matter any further.

The PRESIDING OFFICER. Therefore the amendment goes out. If there be no further amendment, the question is on ordering the amendments to be engrossed and the bill to be read a third time.

Mr. CULLOM. I ask unanimous consent that one little amendment may be made where there was an error.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent for the correction of a clerical error.

Mr. CULLOM. On page 109, line 18, the first word in the line, "inspectors" was not stricken out, nor was the word "agents" put in, which was intended to be done.

The PRESIDING OFFICER. If there be no objection, the word "inspectors" will be stricken out and the word "agents" inserted at the point indicated.

Mr. CULLOM. It is simply to make the bill harmonious with another paragraph where that amendment was made.

The PRESIDING OFFICER. The amendment is agreed to. The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### OMAHA NATIONAL BANK.

Mr. WARREN. I ask unanimous consent for the consideration at this time of the bill (S. 1422) for the relief of the Omaha National Bank.

The PRESIDING OFFICER. The bill will be read to the Senate for its information.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. SPOONER. Let it go over.

The PRESIDING OFFICER. The Senator from Wisconsin asks that the bill may go over.

Mr. SPOONER. Without prejudice.

The PRESIDING OFFICER. It will go over without prejudice.

#### SUPPRESSION OF LOTTERY TRAFFIC.

The PRESIDING OFFICER. The next bill on the Calendar will be stated.

The bill (S. 2514) to amend the act of March 2, 1895, entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," was announced as next in order on the Calendar; and the Senate, as in Committee of the Whole, resumed its consideration.

Mr. LODGE. The bill has been reprinted with certain amendments, and none of them are material. They are only to correct the very incorrect wording of the bill as originally drawn. In the absence of the Senator from Georgia [Mr. CLAY], I ask that those amendments be acted upon.

The PRESIDING OFFICER. The amendments proposed by the Committee on Post-Offices and Post-Roads will be read.

The first amendment was, in section 1, page 1, line 5, after the word "or," to insert the word "of," in the same line, before the word "in," to strike out "deposited" and insert "depositing;" in the same line, after the word "or" where it occurs the second time, to insert "of seeking to have;" in line 7, after the words "United States," to strike out "or carried;" on page 2, line 2, after the word "to," to strike out "(another);" in line 9, after the words "United States," to strike out "(in the United States);" in line 16, after the word "or" where it occurs the second time, to insert "shall;" in line 17, before the word "in," to strike out "deposited" and insert "deposit;" in the same line, after the word "or," to insert "seek to have;" on page 3, line 2, after the words "United States," to strike out "(to another in the same);" and in line 3, before the word "the," to strike out "in" and insert "on conviction for;" so as to make the section read:

*Be it enacted, etc.,* That any person who shall cause to be brought within the United States from abroad, for the purpose of disposing of the same, or of depositing in, or of seeking to have carried by the mails of the United States, from one State or Territory of the United States or the District of Columbia, or territory under the jurisdiction of the United States, to any other State or Territory of the United States or the District of Columbia, or territory under the jurisdiction of the United States, or from any place in or subject to the jurisdiction of the United States to a foreign country, or from any place in or subject to the jurisdiction of the United States through a foreign country to any other place in or subject to the jurisdiction of the United States, any paper, certificate, or instrument purporting to be or represent a ticket, chance, share, or interest in, or dependent upon the event of a lottery, so-called gift concert, or similar enterprise offering prizes dependent upon lot or chance, or shall cause any advertisement of such lottery, so-called gift concert, or similar enterprise offering prizes dependent upon lot or chance to be brought into the United States, or shall deposit in or seek to have carried by the mails of the United States, or transferred from one State or Territory of the United States, or the District of Columbia, or territory under the jurisdiction of the United States, to any other State or Territory of the United States, or the District of Columbia, or territory under the jurisdiction of the United States, or from any place in or subject to the jurisdiction of the United States to a foreign country, or from any place in or subject to the jurisdiction of the United States through a foreign country to any other place in or subject to the jurisdiction of the United States, shall be punishable on conviction for the first offense by imprisonment for not more than two years, or by a fine of not more than \$1,000, or both; and in the second and after offenses by such imprisonment only.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 14, after the word "forty-four," to strike out "and;" in line 17, after the word "or," to insert "of the," and in line 19, after the word "or" where it occurs the second time, to insert "of the;" so as to make the section read:

Sec. 2. That the provisions of sections 3929 and 4041 of the United States Revised Statutes, as amended, respectively, and the provisions of sections 2491 and 2492 of the United States Revised Statutes, and of sections 11, 12, and 13 of the act of Congress of October 1, 1890, entitled "Chapter 1244, an act to reduce the revenue and equalize duties

on imports, and for other purposes," and all other provisions of law for the suppression of traffic in or of the circulation of any such tickets, chances, shares, or interests in or other matter relating to lotteries, or for the suppression of traffic in or of the circulation of obscene books or articles of any kind, shall apply in support, aid, and furtherance of the enforcement of this act.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 10, after the word "lotteries," to strike out "or;" in the same line, after the word "other," to insert "like;" in the same line, after the word "schemes," to strike out "or" and insert "offering;" in line 11, after the word "or" where it occurs the second time, to insert "against," and in line 12, after the word "instruments," to insert "in relation to said lotteries or games;" so as to make the section read:

SEC. 3. That nothing herein contained shall be deemed to repeal by implication sections 3894, 3929, or 4041 of the United States Revised Statutes, or any part thereof, nor any provisions of the act of Congress of April 29, 1878, entitled "An act to prevent the sale of policy or lottery tickets in the District of Columbia," nor any provisions of the act of Congress of September 19, 1890, entitled "An act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes," nor any provisions whatsoever of the laws against the establishment of lotteries, games, or other like schemes, offering prizes, or chances, or against the traffic in or circulation of tickets and other such papers or instruments in relation to said lotteries or games, or the publication of advertisements or notices in any wise relating thereto.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STATEHOOD BILL.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the bill coming over as unfinished business, which is House bill 14749.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

The PRESIDING OFFICER. The first amendment under consideration is the amendment on page 5, which was passed over. The amendment will be read.

The SECRETARY. After the word "prohibit," in line 8, page 5, it is proposed to insert the following proviso:

*Provided, That the sale, barter, or giving away, except for mechanical, medicinal, or scientific purposes, of intoxicating liquors within that part of said State heretofore known as the Indian Territory or other Indian reservations within said State, be prohibited for a period of ten years from the date of admission of said State, and thereafter until after the legislature of said State shall otherwise provide.*

The PRESIDING OFFICER. This amendment, the Chair is informed, was passed over at the request of the Senator from New Hampshire [Mr. GALLINGER].

Mr. BEVERIDGE. The Senator from Maryland [Mr. GORMAN] was the original objector to the amendment. Has the Senator something to say upon it?

Mr. GORMAN. Not now. I called attention to this particular amendment, but I understood some other Senator wanted to be heard upon it.

Mr. BEVERIDGE. Then let it go over.

Mr. GORMAN. I suggest that the amendment be passed over. The Senator from Colorado [Mr. TELLER], I think, gave notice that he desired to make a speech embracing this very provision.

Mr. BEVERIDGE. The Senator from Colorado wants to make a general speech, as I understand it.

Mr. GORMAN. He does, and I also understood—I may be mistaken about it—that he wishes to be heard on this particular provision, which prohibits the sale of intoxicating liquors in one part of the State for ten years.

Mr. BEVERIDGE. The amendment may go over.

Mr. GORMAN. I hope the Senate will pass it over for the present.

Mr. President, I suggest to the Senator from Indiana that, in view of the illness of the Senator from Colorado and the absence of one or two other Senators who, I understand, desire to discuss the bill, we go on and perfect the uncontested amendments and then postpone the further consideration of the bill.

Mr. BEVERIDGE. There is, perhaps, some other Senator who desires to speak on some other phases or on the general policy of the bill to-day.

Mr. GORMAN. I understand not. Owing to illness and absence, two or three Senators who hoped or desired to talk on the bill are not prepared to speak to-day. Will it inconvenience

the Senator to have the bill go over by unanimous consent until Monday?

Mr. BEVERIDGE. Of course that might be arranged. I understand that the Senator from Colorado is happily convalescing. We have had the bill under consideration for ten days, with pretty continuous debate, except when we have been considering amendments, rather to oblige the Senator from Tennessee [Mr. BATE] than otherwise. We might at this juncture fix some time in the future for taking a vote. No immediate time is requested. The Senator will observe that I have up to this time not been at all insistent, but on the contrary have readily acceded to every request which has been made to me by the Senator and by other Senators upon that side. It has been upon the understanding, of course, that we wish to have a reasonable discussion of the measure, and if a date some time in the future, no matter when, which suits the wisdom and convenience of the Senator, could be fixed, there is no reason why we should not go on with the other business of the Senate; but I would not want all the intervening time, as this is the unfinished business, simply wasted.

Mr. GORMAN. The Senator from Indiana is, of course, very nice about the matter, as Senators always are in the consideration of measures of such importance from time to time, because of the absence of Senators. I myself did not desire to debate the bill, but I think there are three or four Senators who are very anxious to make extended speeches on it. During their absence and the physical condition in which they are, I think it would be utterly impossible to fix a day for a final vote on the bill. I do not think the Senator would gain anything by it. As far as I know personally, there is only a desire to consider the bill fairly and to dispose of it in proper order.

Mr. BEVERIDGE. I so understand.

Mr. GORMAN. When the Senator from Colorado and one or two others who are absent, shall have spoken, and those who favor the bill have been heard, I have no doubt there will be some termination of the question, and there ought to be, but I think it would be impracticable to try to reach an agreement to-day.

Mr. BEVERIDGE. I have gone upon the assumption without any question of what the Senator has just stated, that there is a desire merely to have a full and reasonable discussion, after which a vote might be had. The Senator will bear me out, as I said a moment ago, that I have acted upon that assumption, and that no request has been made by the Senator, or by any Senator, which has not been instantly and gladly acceded to.

I was merely suggesting at this juncture, in view of the fact that the bill is before the Senate and the Senator who desires to address the Senate is ill, that no doubt there might be other Senators who want to speak. When I heard that that was not the case, it seemed after ten days of discussion as though it would not be unreasonable to suggest to the Senator that some future date for taking the vote might be fixed. But, of course, upon the Senator's assurance that after a reasonable discussion there will be no difficulty in that, I do not know why we should unreasonably proceed. I have said to the Senator I would not want to agree that the bill be laid aside until Monday, but I am willing to agree that something else may now be taken up temporarily, such as pension bills, with which we can perhaps occupy to-day, and then to-morrow we can see where we are. I would not want the bill to go over until Monday, but I do not see why it should not go over to-day.

Mr. BATE. I understand there has been an arrangement made for to-morrow.

Mr. BEVERIDGE. No; there was none. The Senator is in error about that. To-morrow is open.

Mr. BATE. I understood this morning that there was an agreement to take up to-morrow bills from the Committee on the District of Columbia.

Mr. BEVERIDGE. No; that was not agreed to.

Mr. GALLINGER. It was objected to.

Mr. GORMAN. The Senator is quite right about that.

Mr. BEVERIDGE. I think it can be arranged so that the rest of the day may be occupied with other business of the Senate, but I would not want to agree that the unfinished business shall be laid aside until Monday. Let us meet each day as it arises.

Mr. GORMAN. The suggestion was made by the chairman of the Committee on the District of Columbia that to-morrow be given to the consideration of other matters, and that this bill be laid aside temporarily.

Mr. BEVERIDGE. That was my understanding, but there was objection later and it was not made the order.

Mr. CLAY. Let me say to the Senator from Indiana that I made inquiry last evening and this morning in regard to the



condition of the Senator from Colorado [Mr. TELLER]. He is stopping at the same hotel with me.

Mr. BEVERIDGE. There is no dispute about the Senator from Colorado.

Mr. CLAY. One moment. The Senator from Colorado is at the same hotel where I am stopping, and I can say that there is no possible chance for him to get here before Monday. He is improving. I say to the Senator that I believe we will gain time by letting this matter go over until Monday, and wait until the Senator from Colorado gets here.

Mr. BEVERIDGE. I am always delighted—

Mr. CLAY. One moment. The Senator from Colorado is exceedingly anxious to be present. He has made inquiry in regard to the progress of the bill, and I believe we will gain time by letting the bill go over. I do not think anyone wants to consume unnecessary time in debating the bill, but it would be improper, I think, to go ahead in his absence when he is so anxious to be here.

Mr. BEVERIDGE. I will say to the Senator from Georgia that I myself, in charge of the bill, would protect the Senator from Colorado just as carefully as the Senator from Georgia would protect him. Indeed, the other day, when I observed the growing indisposition of the Senator from Colorado, I voluntarily suggested to him that he at once go home. We can take the bill up each day as we come to it. By not being willing to lay the unfinished business aside until Monday it does not mean, of course, that I am going to insist on the Senator from Colorado speaking to-morrow. I certainly would be the last one to require him under any circumstances, even if I had the power, to come down here when he is indisposed. Neither the Senator from Georgia nor any Senator has a higher regard nor a more affectionate feeling for that Senator than I. But I am now saying, in answer to the suggestion of the Senator from Maryland, that I think under the statement he has made to-day the unfinished business might be temporarily laid aside until to-morrow, and then to-morrow, when 2 o'clock arrives, we can see what is wise to be done. As to what is the disposition of this side of the Chamber, I will assure the Senator that in the future as in the past there will be no unreasonable disposition upon this side of the Chamber.

Mr. GORMAN. That is entirely satisfactory. I am very glad to hear the Senator make that statement.

Mr. BEVERIDGE. I should like to say merely this—that I shall be very glad to let the unfinished business be laid aside from time to time so that whatever order of business does come up we may consider it.

Mr. GORMAN. Temporarily laid aside?

Mr. BEVERIDGE. Yes; laid aside temporarily, to be called up at any time.

Mr. GORMAN. I trust the Senator will do that, and let us go on to-day with Senate bills on the Calendar. The time has arrived when, if the Senate bills are to be considered elsewhere, they must be acted upon here speedily.

Mr. BEVERIDGE. That is precisely the reason why I made the suggestion, understanding, as I did, the position of the Senator on this subject, that it would not be unreasonable at this stage to fix some future day for voting on the bill.

Mr. GORMAN. I ask unanimous consent that the pending bill will be laid aside temporarily, and that we proceed to the consideration of Senate bills on the Calendar, under Rule IX—

Mr. BEVERIDGE. I wish to say to the Senator that the Senator from North Dakota [Mr. McCUMBER]—

Mr. GORMAN. And pension bills.

Mr. BEVERIDGE. The Senator from North Dakota desired that at 4 o'clock to-day the unobjected pension bills on the Calendar should be considered. Unless some other Senator has objection to that course, I have none. The Senator from North Dakota is not now here. I understand that to be his desire. If I incorrectly state it, he can correct me when he gets back; and in the meantime—

The PRESIDING OFFICER. Does the Senator from Indiana make that as an additional request to that proposed by the Senator from Maryland?

Mr. BEVERIDGE. Yes.

Mr. GORMAN. I accept the suggestion, and ask that the Senate temporarily lay aside the pending bill to proceed to the consideration of Senate bills on the Calendar, up to 4 o'clock, under Rule IX.

Mr. BEVERIDGE. At which time we shall proceed to the consideration of unobjected pension bills, in accordance with the desire of the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from Maryland makes a request that the pending bill be laid aside temporarily until to-morrow, and that the Senate bills on the Calendar be taken up and considered until 4 o'clock.

Mr. BEVERIDGE. Under Rule IX.

The PRESIDING OFFICER. Under Rule IX; after which time the pension bills on the Calendar will be taken up and all the unobjected pension bills thereon be considered. Is there objection to the proposition? The Chair hears none, and the Calendar is before the Senate.

#### OLD POINT COMFORT IMPROVEMENT COMPANY.

The bill (S. 1718) to compensate the Old Point Comfort Improvement Company for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Va., was announced as first in order on the Calendar.

The Secretary read the bill.

Mr. SPOONER. I should like to inquire if the report on that bill is an elaborate one?

The PRESIDING OFFICER. It consists of sixteen pages.

Mr. SPOONER. Is there any recommendation from either of the Departments in regard to the matter?

The PRESIDING OFFICER. The Secretary will read the indorsement of the Secretary of War on page 8 of the report.

The Secretary read as follows:

[Third indorsement.]

WAR DEPARTMENT, July 3, 1903.

Respectfully returned to the chairman Committee on Claims, United States Senate, inviting attention to the preceding indorsement of the Judge-Advocate-General of the Army and to the accompanying copies of papers therein referred to.

In the sense of having a claim enforceable against the United States in a court either of law or equity it is clear the Hygeia Hotel Company has none. In the sense of having a claim for the consideration of Congress I think the company has one, and that it would be but fair and reasonable treatment for Congress to provide indemnity for the unexpected destruction of value made necessary by the resumption of possession by the United States.

ELIHU ROOT, Secretary of War.

Mr. SPOONER. By whom was the bill reported?

The PRESIDING OFFICER. By the Senator from New Jersey [Mr. KEAN] without amendment from the Committee on Claims.

Mr. SPOONER. I have been informed that the Hygeia Hotel was erected on that reservation with an agreement that it should be removed at the expense of the owners whenever the Government required it. As the Senator who reported the bill is not present, I think the bill had better go over without losing its place on the Calendar.

Mr. GORMAN. That is right.

The PRESIDING OFFICER. The bill will go over without prejudice, if there be no objection.

BERNARD W. MURRAY.

The bill (S. 2113) for the relief of Bernard W. Murray was announced as next in order.

Mr. GALLINGER. I think that bill ought to go over, Mr. President.

The PRESIDING OFFICER. Objection being made, the bill will go over.

TALLEYRAND DESAIX MYERS.

The bill (S. 1284) to restore to the active list of the Navy the name of Talleyrand Desaix Myers was announced as next in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to restore Talleyrand Desaix Myers, now a passed assistant surgeon on the retired list, to the active list of the Navy: *Provided*, That the said Myers shall, upon examination in accordance with regulations to be prescribed by the Secretary of the Navy, before an examining board composed of three medical officers his senior in rank, satisfactorily establish his mental, moral, professional, and physical fitness to perform active service; the place to which he shall be restored to be determined by the Secretary of the Navy after recommendation with regard thereto by said board: *And provided further*, That the said Myers shall be carried as additional to the number of the grade to which he may be restored, or at any time thereafter promoted.

Mr. SPOONER. I understand that bill was reported from the Committee on Naval Affairs?

Mr. GALLINGER. It was; and its passage is recommended by the Department.

The PRESIDING OFFICER. The question is on the amendment proposed by the Committee on Naval Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PURE-FOOD BILL.

The bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes, was announced as next in order.

Mr. PLATT of Connecticut. If we are proceeding under Rule VIII, I do not think we can consider that bill.

The PRESIDING OFFICER. The Chair will state that the Senate is proceeding under Rule IX.

Mr. PLATT of Connecticut. As I have stated, if we are going to proceed under Rule VIII I do not think we can consider this bill at this time.

The PRESIDING OFFICER. The proposition was to act under Rule IX upon Senate bills only; and this being a House bill, it will be passed over.

## SAFETY APPLIANCES ON RAILROADS.

The bill (S. 4403) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1903, was announced as next in order.

Mr. NEWLANDS. I move that that bill be passed over, leaving it in its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over, if there be no objection.

Mr. GALLINGER. I should like to inquire, as a matter of information—and I will address my inquiry to the Senator from Maryland [Mr. GORMAN]—as to whether we are now proceeding under Rule VIII or Rule IX?

Mr. GORMAN. Under Rule IX.

Mr. GALLINGER. Of course, if we are acting under Rule IX, a single objection would not carry a bill over.

The PRESIDING OFFICER. The Chair will state that he put the proposition to the Senate for the consideration of Senate bills on the Calendar under Rule IX, and that proposition was adopted.

Mr. GORMAN. Yes. If the motion of the Senator from Nevada [Mr. NEWLANDS] be carried, it will leave the bill in its place on the Calendar without prejudice.

Mr. GALLINGER. Yes; if he makes the motion.

Mr. NEWLANDS. I have made a motion to that effect.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada [Mr. NEWLANDS], that the bill be passed over, retaining its place on the Calendar.

The motion was agreed to.

## PRELIMINARY EXAMINATIONS BEFORE COMMISSIONERS.

The bill (S. 159) to extend the provisions of section 5392 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States was considered as in Committee of the Whole. It proposes that the provisions of section 5399 of the Revised Statutes shall extend to every person who corruptly, or by threats or force, endeavors to influence, intimidate, or impede any witness or other person lawfully summoned before any commissioner lawfully appointed by any court of the United States in the discharge of his duty, or corruptly, or by threats or force, obstructs or impedes, or endeavors to obstruct or impede, the due administration of justice before such commissioner.

The bill was reported from the Committee on the Judiciary with an amendment to add the following:

That the provisions of section 5406 of the Revised Statutes shall extend to all persons in any State or Territory who conspire to deter, by force, intimidation, or threat, any party or witness or other person lawfully summoned before any commissioner lawfully appointed by any court of the United States from obeying such summons, or from testifying to any matter pending before such commissioner, freely, fully, and truthfully, or to injure such party or witness or other person, in his person or property, on account of his having so obeyed or testified.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the provisions of sections 5399 and 5406 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States."

GEORGE T. HAMILTON.

The bill (S. 1353) for the relief of George T. Hamilton, which had been reported from the Committee on Claims with a substitute, was announced as next in order.

Mr. PLATT of Connecticut. Mr. President, if we are going to consider this bill at this time, I suggest that there are very few

Senators who have concluded to stay in the Chamber to listen to the reading of the report.

Mr. SPOONER. And after the report has been read I think it will take some time to discuss the bill. The principle involved in the bill has always been repudiated here, and must of necessity be repudiated. It is, beyond any question, a case that calls for sympathy. I remember a case from New Hampshire, which was one of the most heartrending ever brought to my attention, and had I been able to do so, I should have paid the claim myself, but I could not vote for the Government to do so because of the precedent that would have been thereby established.

Mr. GALLINGER. Mr. President, the New Hampshire case was here a long time before I came into the Senate. I remember the Senator from Wisconsin [Mr. SPOONER] very carefully considered it. That was a case where soldiers fired directly upon citizens of New Hampshire, resulting in the most distressful suffering. That claim was never paid.

Mr. President, this morning we had reached a case in identical language with this, which went over, I suppose, under Rule VIII, under my objection. If it is necessary to make a motion that this bill shall go over, retaining its place, I will now make the motion that it be passed over.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Hampshire, that the bill be passed over, retaining its place on the Calendar.

The motion was agreed to.

## PENSIONS TO FAMILIES OF INDIAN POLICEMEN.

The bill (S. 3783) for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement, was announced as next in order.

Mr. SPOONER. That is a bill we had under consideration this morning.

The PRESIDING OFFICER. The bill has been already considered, and went over on objection during the morning hour.

Mr. SPOONER. Does it require a motion to pass a bill over, Mr. President?

The PRESIDING OFFICER. The Chair is inclined to think so.

Mr. SPOONER. Then I move that the bill be passed over for the present without losing its place on the Calendar.

The motion was agreed to.

## B. JACKMAN.

The bill (S. 3790) for the relief of B. Jackman was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendments. The first amendment was, in section 1, line 4, after the word "pay," to strike out "out of any money in the Treasury not otherwise appropriated;" so as to make the section read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to B. Jackman, agent of the Maine Central Railroad Company, Vanceboro, Me., the sum of \$1,678.88, for refund of duties paid on 1,499 cases of condensed milk erroneously entered for consumption and shipped in transit through the United States to Dawson, Yukon territory.

The amendment was agreed to.

The next amendment was to insert as a new section the following:

SEC. 2. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$1,678.88, for the purposes specified in this act.

The amendment was agreed to.

Mr. SPOONER. I do not know that there is any objection to that bill, but I think it ought to be considered when the Senator who reported it is present. If a refund of duties illegally exacted is claimed, I should like to be informed whether the duties were paid under protest. The Senator from New Hampshire [Mr. BURNHAM], who reported the bill, is not present, and glancing rapidly through the report, I do not find the information I should like to have.

Mr. GALLINGER. I will say to the Senator that in the report, alluding to a certain act, this language is found:

In this act it is provided that a written protest shall be filed with the collector within ten days after the erroneous payment of duty.

In a letter dated July 25, 1899, from said attorney, Mr. Raymond, to Assistant Secretary Spaulding, it is stated that the Canadian Pacific agent at Vanceboro did call the attention of the deputy collector at Vanceboro to the error before the ten days' limit expired and suggested that the Department at Washington be at once notified; that the deputy collector assured him that no such action was required, but told him to wait until an "export certificate" from San Francisco could be obtained and presented to the Department, when the duty erroneously paid would be refunded, and that the ten days' limit did not apply to cases of this kind.

That answers the inquiry in part.



Mr. PLATT of Connecticut. But there is more on that subject in the report.

Mr. GALLINGER. That is very likely. I have not had time to examine the entire report.

Mr. PLATT of Connecticut. The report shows that in fact no protest was made. The party tried to excuse the want of a protest on the ground that he told the deputy collector of the error, and that he understood from the deputy collector that a protest was not necessary, but the deputy collector says that he did not advise him that a protest was not necessary. There was no protest made, as a matter of fact.

Mr. SPOONER. If we go into the business of refunding duties illegally collected in the absence of protest, it will involve countless millions of dollars. It has always been the policy not to do it. I suggest that the bill go over, Mr. President, until the Senator who reported it is present. It may be a proper bill to pass; I do not know.

Mr. BURNHAM entered the Chamber.

Mr. PLATT of Connecticut. The Senator from New Hampshire is now present.

Mr. SPOONER. I wish the Senator from New Hampshire would make a concise statement of the facts relating to the bill under consideration.

Mr. BURNHAM. The report is a very brief one, and makes a very concise statement.

Mr. SPOONER. What are the facts? Why was the duty an illegal duty?

Mr. BURNHAM. The facts in brief are these: The goods were shipped from Canada by way of San Francisco to Dawson, in the Yukon territory, and by mistake at the port of Vanceboro, Me., the duty was collected.

Mr. SPOONER. Why were the goods not sent in bond?

Mr. BURNHAM. I do not know. The mistake was made by the railroad agent and by the collector of the port, both of them supposing that the goods were going to San Francisco, when, as a matter of fact, they were going from one part of Canada, to Dawson, Yukon territory, in another part of Canada. The duty was collected through a mutual mistake on the part of the railroad agent and the collector of the port.

Mr. SPOONER. They were improperly entered, then, at the port in Maine?

Mr. BURNHAM. Yes. The goods were properly marked to Dawson, Yukon territory, but being sent by way of San Francisco, a mistake was made in supposing that that was to be the final place of shipment. It was a mutual error, and it seemed to the committee that it should be rectified.

Mr. SPOONER. What does the Department say about it?

Mr. BURNHAM. I have not the report of the Department, and I do not have the correspondence before me; but the query should be, Whether in fact the goods were for San Francisco or for Dawson? It was ascertained by papers that were on file, and not disputed, that the goods were actually sent to Dawson and should not, of course, have paid duty.

Mr. SPOONER. Will not such mistakes happen all the time if we enter upon this business?

Mr. BURNHAM. It seems that this was a very unusual case. The railroad agent as well as the collector made the mistake. The matter would have been disposed of probably at the time, except for the statement of the collector to the railroad agent, as soon as the mistake was discovered, that if they could get a certificate of export and send to the Department the duties would be refunded, and that the time limit within which the matter could be presented to the Government—I think there is a ten-day limit—would not apply.

Mr. SPOONER. Did they get a certificate of export?

Mr. BURNHAM. They sent for it, but the certificate was not sufficient.

Mr. SPOONER. Mr. President, I hope the Senator will be willing that the bill shall go over, in order that the matter may be examined. It is important.

Mr. CLAPP. May I have a moment?

Mr. SPOONER. Yes.

Mr. CLAPP. While I do not now remember the details exactly, we examined the bill very carefully at the time it was being considered by the committee, and we were thoroughly satisfied of its merit.

Mr. BURNHAM. As I have said, the duty was paid under a mutual mistake. It was a mistake of the collector as well as of the railroad agent. The goods were marked for Dawson, and, as a matter of fact, they went to Dawson.

Mr. SPOONER. I do not challenge the accuracy of the statement that it was a mistake; but I served a good many years upon the Committee on Claims when I was formerly a member of the Senate, and we had to guard such bills all the time, espe-

cially in such cases as this, because of the effect of the precedent. I remember one case where it was admitted that there was no earthly question that the Government had illegally exacted, as a condition of the withdrawal from the custom-house of certain goods, the payment of duties, but no protest had been made, as in this case none has been made. That seemed to be a proper case, and I was very clear that we should report favorably upon it; but upon a reference of the matter to the Department and a conversation with Mr. Sherman, who at that time was a member of the Senate, it became obvious that the passage of that bill would constitute a committal by Congress to a principle which would involve a hundred million dollars to the Government in the way of other refunds of illegally exacted duties that had been paid without protest. Where there is a protest the law provides a remedy without the intervention of Congress. The facts are ascertained and judgment rendered accordingly.

I submit to the Senator that it would be, I think, necessary to refer this case to the Department for the ascertainment from the files of the Government of the facts which should be considered by the Senate.

Mr. BURNHAM. I do not know what particular facts the Department could furnish to the committee.

Mr. SPOONER. Is there any statement by the collector?

Mr. BURNHAM. There is a statement by the collector that bears upon the question whether or not the collector misled the railroad agent by what he said with reference to the export certificate. The collector gave the railroad agent, the party representing the claimant, to understand that if he would get an export certificate from San Francisco showing that the goods were shipped from there on the way to Dawson that would be sufficient and the Government would refund the duty; but during the delay occasioned by his efforts to get the certificate the time limit for protest had passed. Then, as I understand, the Government said the time limit had expired and a refund could not be made.

Mr. SPOONER. There is a conflict between the statements of the railroad agent and of the collector.

Mr. BURNHAM. There is a conflict to some extent, but the committee were satisfied that the shipper understood that the export certificate would be sufficient to allow the refund of the duties.

Mr. SPOONER. One trouble is that the procedure under the law is perfectly plain. The goods might have been shipped in bond and the difficulty would have been avoided; but if the shipper considered that the duties had been illegally collected, he was bound to know that it would be necessary for him to enter his protest. The law on the subject is clear. If the liability of the Government to refund is to be dependent upon an understanding or misunderstanding between a citizen and the officer, there would be no limit to these cases. If we should release a man from the common obligation to know what the law is governing the transaction of such business, and remit it to a mere matter of conversation between him and an official, where would we land?

Mr. BURNHAM. It seemed to the committee simply a mistake in which the collector, the representative of the Government, was at fault as well as the shipper, and that the collector's statements were misleading, as the committee understood.

Mr. SPOONER. The representative of the Government says he was not at fault.

Mr. BURNHAM. Well, he made statements—I can not now quote them—to the effect, as I say, that if the shipper did a certain thing, if he procured a certificate, he would then be protected.

Mr. SPOONER. Mr. President, I certainly do not wish to make any opposition to this bill unless the public interest clearly requires it, but I hope that it will not be regarded as offensive at all if I move that the bill be passed over without prejudice. I should like to look further into it.

Mr. BURNHAM. I am very sure when the Senator has examined it fully he will concur with the committee.

Mr. SPOONER. That may be, but I should like to have the bill go over.

The PRESIDING OFFICER. The Senator from Wisconsin moves that the bill may be passed over without prejudice.

The motion was agreed to.

#### FUR-SEAL FISHERIES CLAIMS.

Mr. FULTON. Mr. President, there is a bill on the Calendar which has been before the Senate several times and laid aside without prejudice, which I ask unanimous consent to have taken up and considered at this time. It is Senate bill 3410.

The PRESIDING OFFICER. The Senator from Oregon asks

unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 3410) to extend to citizens of the United States who were owners, charterers, masters, officers, and crews of certain vessels registered under the laws of the United States, and to citizens of the United States whose claims were rejected because of the American citizenship of the claimants, or of one or more of the owners, by the international commission appointed pursuant to the convention of February 8, 1896, between the United States and Great Britain, the relief heretofore granted to and received by British subjects in respect of damages for unlawful seizures of vessels or cargoes, or both, or for damming interference with the vessels or the voyages of vessels engaged in sealing beyond the 3-mile limit, and beyond the jurisdiction of the United States, in accordance with the judgment of the fur-seal arbitration at Paris, in its award of August 15, 1893, and so that justice shall not be denied to American citizens which has been so freely meted out to British subjects.

Mr. FULTON. The bill has been read, Mr. President, all the amendments which have been reported by the committee have been disposed of, and there are no pending amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the bill named by him be taken up for consideration?

Mr. McLAURIN. Mr. President, I think the junior Senator from Iowa [Mr. DOLLIVER] desires to be heard on this bill, and I should dislike to have it considered in his absence. I myself have no objection to the consideration of the bill at this time, but—

Mr. FULTON. I think the Senator from Wisconsin [Mr. SPOONER] desires to make some observations on the bill. The Senator from Iowa [Mr. DOLLIVER] has gone into the Marble Room. He told me, however, that he would be in the Chamber in a few minutes. I will send out for him.

Mr. McLAURIN. The junior Senator from Iowa is the one I had in mind.

Mr. FULTON. As I say, I think he stepped into the Marble Room. I will send for him.

Mr. PLATT of Connecticut. We had this bill under discussion somewhat the other morning, Mr. President. It will take considerably more discussion before it is disposed of, and there will be a full Senate required when it is disposed of. Therefore I think it had better go over.

The PRESIDING OFFICER. The Senator from Connecticut objects to the present consideration of the bill. Does the Senator from Connecticut move that the bill be passed over without prejudice?

Mr. PLATT of Connecticut. I do, if that is necessary. It seems to be a new practice in the Senate.

The PRESIDING OFFICER. It is necessary to make such a motion, the Chair believes. The question is on agreeing to the motion of the Senator from Connecticut.

The motion was agreed to.

Mr. FULTON. If there is no objection, I should like to have it appear that the bill goes over without prejudice.

Mr. PLATT of Connecticut. Oh, yes, Mr. President. Whenever it can be taken up I am ready to discuss the matter further.

The PRESIDING OFFICER. It will so appear.

CHARLES R. HOOPER.

The bill (S. 535) for the relief of Charles R. Hooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$50 per month for sixty months to Charles R. Hooper, or his heirs. And there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, a sufficient sum to make said payments.

The amendment was agreed to.

Mr. PLATT of Connecticut. Mr. President, we might just as well have it out on one of these cases and have a vote of the Senate by yeas and nays as to whether the Government is going to acknowledge itself to be liable for these claims. Here was a man, a workman in a forge shop in the District of Columbia, who was struck in the left eye with a piece of steel. Whether it was his own fault or anybody's fault does not appear here, so far as I can see. Where the piece of steel came from that hit him in the eye and destroyed his sight does not appear. But simply because he was a workman in a forge shop of the Government and a piece of steel flew into his eye and put it out it is proposed to make this payment to him.

I do not want to discuss the bill, but I do propose to have a vote on it, and I desire to record my vote against it.

Mr. CLAPP. Mr. President, so far as concerns the question of the manner in which this accident occurred and this man's responsibility for it, it seems to me it is covered by the recommendation of the committee that the bill be passed.

On the general question whether we shall pay any claims of this kind, I may say that I would just as lief have it settled now as at any other time. Personally I should vote for the bill, having been authorized by the committee to report it, but I am rather adverse to the idea of the Government being held for claims of this character.

Mr. PLATT of Connecticut. Will the Senator permit me? I was in error. I had not read the report. I see the report says:

While so engaged, a fellow-workman was striking a piece of steel, from which a small piece flew and struck the left eye of said Charles R. Hooper.

I see I was mistaken as to that.

Mr. CLAPP. Does the Senator from Connecticut want to bring up the question whether the Government should pay in such cases?

Mr. McCOMAS. Mr. President, I happen to know of this case and to know this man. I have great sympathy with the desire to watch carefully any attempt to make the Government liable for all sorts of mishaps. This case passed the House, and I happened to read the debate, because I knew the man. There was, I think, convincing evidence that the injury to this man's eye, causing the loss of one eye and endangering the sight of the other, was the result of the negligence of a fellow-workman who, without intent, but rather carelessly, when this man was taking some part in the work, dropped the hot metal at such a time and in such a way as Hooper had no right to expect or believe. Each had been there for years; Hooper, I believe, for very many years, probably ten or twelve. He was entirely without fault, but he certainly has lost one eye, and he may lose the other.

The case, I remember, was quite fully debated in the last House. The House passed the bill after debate. It came here. The bill failed in the last Congress. If the Government is to say that in no case will it compensate a man who, while doing his duty and without negligence, suffers an injury which is a life hurt, a serious hurt to him, I think perhaps this is hardly a good case in which to make the test.

I understand the Senator from Connecticut has since looked into the case and, if I am right about it, does not wish to press a vote on the pending bill.

Mr. PLATT of Connecticut. Oh, yes; we might as well have the question settled as to whether the Government is to be liable for damages if a man meets with an accident in its employ or when something that a fellow-workman does, which is not shown to be negligent or careless in any way, causes the injury. We might just as well take a vote on it and make a precedent, and then we shall know what to do in the future.

Mr. McCOMAS. Of course what has been done has been done, and I have not the slightest idea that the vote on any one claim will make a precedent which will control in any other case. It will be just the passing action with respect to a particular bill.

This man has just the case I have stated. He was a worthy workman, employed by the Government for years, and without any want of care on his part, while performing his duty, he received the injury. A piece of steel went into his eye and caused the loss of the eye and may make him blind. The bill appropriates \$50 a month for sixty months to Charles R. Hooper, and it does not make a lump sum appropriation. I think that is the effect of the Senate amendment. I hope that the bill for the relief of this poor fellow may not be made a test case, although, of course, I recognize that any man's case may be made so.

Mr. PERKINS (Mr. MALLORY in the chair). Mr. President, I know nothing about the merits of this particular case. I doubt not that the statement made by the Senator from Maryland is correct in every respect. The amendment reported by the Senate committee proposes that the beneficiary shall receive \$50 a month for sixty months in compensation for the injury he has received, which is the loss of an eye.

It seems to me, notwithstanding the objection of my friend the Senator from Connecticut—and there is no one for whose good judgment I have greater respect—that the Government should deal as liberally, as justly, as fairly with its employees as does a private company or a private corporation.

I have been engaged for many years in the transportation business—in the steamship business. We have no law that com-



pels us to care for those who are injured in our employ. Indeed, the Government provides a marine hospital where seamen are supported and cared for, receiving surgical aid and medicine when they are sick or suffering from injuries. But there never has been a case that came to my knowledge during the administration of the affairs of that company where one was permanently injured and had a family or others dependent upon him for support that the company did not make an allowance to him of so much a month for a certain period of time.

I think the same rule prevails on many of the railroads and among many of the factories of our country. It is a just, a humane, and, I believe, a wise provision, and I have already introduced at this session of Congress a bill providing that under certain conditions those who are injured while working for the Government in the navy-yards of the country, in the machine shops—injured not by their own carelessness, but by those accidents that occur among mechanics and workmen in every vocation of life—shall receive for a certain period of time a fixed sum. Call it a pension if you please. It is simply compensating them that they may not be dependent upon charity for their existence during the time when they are suffering from an injury which they have received in the performance of their duty.

I am ready to follow my friend the Senator from Connecticut on almost every proposition, but in this case I can not. We have come to the parting of the roads, and I believe if he considers this matter carefully he will vote for a measure whereby those who are injured in the employ of the Government, in the navy-yards and in the machine shops and elsewhere, may be properly provided for.

Mr. PLATT of Connecticut. Do I understand the Senator from California to claim that whenever any accident occurs, where there is no negligence shown on the part of the Government, or even on the part of a fellow-workman, the Government is bound to compensate the person who receives the injury?

Mr. PERKINS. I believe, Mr. President, the Government, which can not be sued in any court, should be as just and should be made as liable, after a commission has found certain facts, as a private corporation or company would be in a court of justice.

Mr. PLATT of Connecticut. But does the Senator claim that a private corporation would be liable to a workman who was accidentally injured, without negligence on the part of the corporation or negligence shown on the part of a fellow-workman?

Mr. PERKINS. I am aware, of course, that in most of the States of the Union a company is not liable for injuries which may be received by an employee through the carelessness of a fellow-workman.

Mr. PLATT of Connecticut. I am not putting it there. If we are to part company, we want to know on what we part. I understand the Senator's proposition to be that every person who is injured accidentally when in the employ of another person ought to be compensated by that person, though there is no negligence shown on the part of anybody, and it is purely accidental.

Mr. PERKINS. Oh, no.

Mr. PLATT of Connecticut. That is what I understood.

Mr. PERKINS. That is too broad a statement. I do say that the Government should be as liable for damages and should deal as justly with those who are in its employ as a company or a private corporation.

With respect to this bill, we are to pass it upon its merits. I see, by a cursory reading of it, that this man was employed in the machine shop in Washington, D. C., and he received a permanent injury, such as not one of us would take a hundred thousand dollars or a million dollars and suffer. By this bill it is merely proposed to compensate him to the extent of \$3,000.

Mr. PLATT of Connecticut. This bill says it was an accident.

Mr. PERKINS. Almost everything that occurs to us is the result of an accident. My friend may walk out and slip on the sidewalk and break an arm or a leg, and it is an accident.

Mr. PLATT of Connecticut. What I want to know is whether the Senator proposes to vote for this bill on the ground that a workman employed by the Government, sustaining an accident while in such employment, ought to be compensated by the Government?

Mr. PERKINS. The committee have investigated this case. They have heard the testimony—

Mr. PLATT of Connecticut. Oh, well.

Mr. PERKINS. They reported favorably on it; and I am prepared in this instance to follow the report of the committee.

Mr. PLATT of Connecticut. The Senator who reported it says he is not satisfied as to the propriety or wisdom of adopting such a bill and making such a precedent.

Mr. CLAPP obtained the floor.

Mr. McCOMAS. Will the Senator from Minnesota yield to me for a moment?

Mr. CLAPP. Certainly.

Mr. McCOMAS. I introduced this bill. I remember distinctly that I read the debate in the House before I introduced the bill, and the statement was made by those there, who seemed to have a full report of the facts, which is not accessible in the present report—it was reported in the House a few years ago—and the statement was several times repeated, that the injury happened in an unexpected manner; that it happened in a way which ordinarily the fellow-servant would not have a right to expect it would happen, and that there was some carelessness on the part of the person who hit the hot metal, whereby this man, who had been in no wise negligent or lacking in care, suffered injury.

It seems to me it is not well or wise that in the case of an humble and industrious blacksmith, working for the Government at a forge, the extreme rigidity of the rule with respect to injury by the act of a fellow-servant should be applied by the Government of the United States. There are commonwealths that have modified the rule. Railroads have been required in some respects to submit to a milder rule, where a servant is injured, and injured by the act of a fellow-servant. Certainly it can not happen that every day one man helping another man, striking metal, loses an eye by it. In this case the eye of the beneficiary of this bill was put out. I do not want to mislead the Senate, but I confess frankly that I have not a distinct and clear recollection of all the statements I heard in this case, nor have I a distinct and clear recollection of all that was said in this case by men who vouched for what they said.

But I want to say that the impression made on my mind before I introduced this bill, after it had passed the House, was that there was evidence tending to show the negligence of the fellow-employee. I have forgotten his name, if I ever knew it. Probably I did. I think that must have influenced the Senate committee. I think it must have influenced the House, which passed the bill. It failed in the Senate the last time.

I submit that in the case of this honest and industrious blacksmith, where the compensation is simply the payment of a sum of money for a limited time, it is not wise or necessary, nor is it the time to press the rigid application of the rule that a man injured in working for the Government is to be set adrift without any compensation upon the doctrine of fellow-servant. I think this case might pass.

Mr. SPOONER. Mr. President, the Senator from Maryland [Mr. McCOMAS] is a very careful legislator; he is a learned lawyer; he was a very able judge, and he has made a splendid Senator. He has impressed me with the feeling that if it were not simply a matter of sympathy with him he would not be found either introducing or supporting this proposition. He sympathizes with this man, whom he knew. I do not know him, but I sympathize with him as warmly as it is possible for me to do. But we are not here simply to be guided by our sympathies. As I had occasion to say the other day, we are not here voting our own money. We are here as trustees, holding the purse in which is the money of the people, gathered in for governmental purposes under many laws.

The Senator talks about fellow-servant. There is no law relating to the liability of an employer growing out of the fellow-servant doctrine that is applicable at all to this bill, as the report states the case. It may be that the Senate and the House will yet come to adopt the principle that the Government, employing millions of men in one service and another, shall be liable as under the common-law rule which governs liability because of the negligence of a fellow-servant.

The Senator from Connecticut [Mr. PLATT] is right. Let us meet that as a general proposition, for, when it comes, it will be a revolution of the system which has prevailed from the foundation of the Government.

But this case is no such case. There is no pretense in this case that the Government was negligent. There is no pretense that it was negligent in respect of adequate and proper equipment. There is no pretense that it was negligent in the employment of an incompetent or unfit servant—none at all. Under no law that I know of would any private corporation, steamship or other, be liable in a court of justice, because there is neither negligence on the part of the employer, nor upon the part of the man who was injured, nor upon the part of the man who injured him.

So far as this case is made to appear by the report of the committee, it is a case of pure accident—nothing else, nobody being at fault. If we shall do this in the case of the blacksmith, why not in the case of the carpenter; why not in the case of all the men who work in the navy-yard; why not as to the men who work on our ships at sea; why limit it to any class of employees of the Government? Why single out one

person and pay money to him as a matter of kindness, of generosity, or from the standpoint of sympathy or sentiment, for, after all, it is sympathy? Shall we do that in all cases where an employee of the Government, without fault on the part of the Government, without any fault upon his own part, without fault upon the part of those with whom he is working, is by an accident injured? There are some—

Mr. GALLINGER. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Certainly.

Mr. GALLINGER. If we enter upon that policy, so far as the Government is concerned, why should not the employer of labor likewise be held responsible?

Mr. SPOONER. The employer of labor would not be liable in any court in any such case.

Mr. GALLINGER. Neither would the Government.

Mr. SPOONER. Neither would the Government.

Mr. GALLINGER. That is what I say.

Mr. SPOONER. Why single out this case?

I say to the Senator from Maryland, Shall it be done in all such cases? He will not say yes. But in the vast number of employees of the Government injuries akin to this, originating not in this precise way always, but in others quite as natural and quite as inevitable, are liable to occur. I expect somewhere in the United States, among our army of employees, something akin to it happens every day.

Now, let us have a rule about it. If this is a good case for an appropriation—and it never has been so considered hitherto—all of them are good cases for similar appropriations. The Senator from California [Mr. PERKINS] while engaged in this business might extend the bill which he has drawn, which, I understand, extends the rule of the common-law liability of the employer for injuries received through the negligence of a fellow-servant to the Government. Am I right about that?

Mr. PERKINS. The Secretary of the Navy during the past six years has recommended a measure similar to that which I have indicated.

Mr. SPOONER. What is the bill?

Mr. PERKINS. That where people have been engaged in the employ of the Government in the navy-yards and are injured a commission shall be appointed to determine whether it was the result of their own negligence or that of a fellow-workman or by some imperfection in the machinery furnished by the Government.

Mr. SPOONER. Is the Senator's bill limited to navy-yards?

Mr. PERKINS. It is.

Mr. SPOONER. Why?

Mr. PERKINS. Because I am on the Committee on Naval Affairs, and I thought I had all I could undertake at this session of Congress.

Mr. SPOONER. I commend the Senator to be as just and generous to the employees of the Government not in the navy-yards as to those who happen to be engaged in the navy-yards. Why not enlarge the bill?

Mr. PERKINS. I think the principle is correct. I think the Government—I reiterate that which I have stated before—should be as just to its employees, whether in the Navy, the Army, or any department of the Government, as a private corporation or a private company, as my friend the Senator from Wisconsin would be if this man had been injured in his employ. I venture the assertion that if he had been, he would have compensated him more than is provided for in this bill.

Mr. SPOONER. That is the argumentum ad hominem.

Mr. PERKINS. Nevertheless it is an appeal to one's human sympathy.

Mr. SPOONER. What I might do as between my employee and myself I would do with my own money, not with the Senator's, and we are here voting the money of other people. We stand between the people and an improvident or improper expenditure. It is not this case that I am talking about, but all similar cases involving the expenditure of public money.

Mr. PERKINS. If the Senator will permit me, I will state in justice to myself that I have never voted for a measure appropriating the Government's money that I would not have voted the same way were it my own individual money.

Mr. SPOONER. I did not intimate the contrary.

Mr. PERKINS. Therefore if it is an error at all it is an error of judgment and not of the heart.

Mr. SPOONER. I did not intimate to the contrary. Whether the rules shall be changed and the Government shall be made to stand as to its employees upon the doctrine of common-law liability growing out of the relation of servants and employers is a very large proposition, not to be disposed of simply upon sympathy or the popularity of the proposition, but it is to be met by the Senate and the House and disposed of with reference to the

interests of the Government and the people. Up to this date the Government has never been made an insurer of the care and the skill of its vast army of employees.

Mr. GORMAN. Will the Senator permit me just one word?

Mr. SPOONER. Certainly.

Mr. GORMAN. The Senator states what is the rule as a matter of course. Few people injured in the Government service have ever been provided for, but that has not been universally the case. In cases of loss of sight or being maimed for life the Government has provided for not only those in the employment of the navy-yards, but those in employment in this Capitol.

There are two or three cases I have now in mind where men were performing some service and they were maimed and Congress made an exception in their favor. A man broke an arm or lost an arm at the other end of the Capitol, and an employee of the Senate, while in the performance of duty, lost his life by the negligence of workmen. Another case I recall is that of an employee of the Senate who, through an accident, caused not by his fault, was maimed for life. He was provided for. We provided for both men and women in the navy-yard in that great disaster where they had an explosion; we have provided for them in the civil branch; we provided for them in the case of the Ford's Theater disaster. But these were exceptional cases, where they have been maimed for life and where they had no legal right to claim it. Congress has in all those cases provided for them. Here is a poor man, probably maimed for life, and it is rendered impossible for him to get a livelihood. It is on all fours with the cases which have heretofore been provided for, and it is given not as a right but as a donation.

Mr. SPOONER. I see that the two Senators from Maryland are unanimous on this particular bill. I suppose that is natural. All the cases mentioned by the Senator from Maryland were cases of negligence.

Mr. GORMAN. Not all; but the result of accidents that were unavoidable.

Mr. PLATT of Connecticut. The Ford's Theater disaster was certainly a case of negligence. It was put on that ground.

Mr. GORMAN. Yes, that case; but take the case I refer to in this Capitol, when an explosion of gas occurred, and we made provision for the sufferers. Where the disaster was extraordinary and they were maimed for life or it was made impossible for them to earn a livelihood, it was given in the shape of a donation.

While I do not know this applicant and never heard of him until I read the bill in the Senate to-day, I have no doubt from the statement made that it is one of the cases which come under that rule. It is a small matter, and it is not establishing a precedent. Therefore I do trust the Senator will permit the bill to pass.

Mr. PERKINS. Mr. President—

The PRESIDING OFFICER (Mr. MALLORY in the chair). The Senator from Wisconsin has the floor.

Mr. PERKINS. Will the Senator from Wisconsin yield to me for a moment?

Mr. SPOONER. Certainly.

Mr. PERKINS. When I called the attention of the Senate to this particular case it escaped my mind for the moment that one who is in deep touch with the people of the country, as was evidenced in the recent Presidential election, has given expression on this very same subject-matter. Therefore, with the Senator's permission, I desire to read the following short extract from the message of the President of the United States, on page 3:

The wage-workers are peculiarly entitled to the protection and the encouragement of the law. From the very nature of their occupation railroad men, for instance, are liable to be maimed in doing the legitimate work of their profession, unless the railroad companies are required by law to make ample provision for their safety. The Administration has been zealous in enforcing the existing law for this purpose. That law should be amended and strengthened. Wherever the National Government has power there should be a stringent employer's liability law, which should apply to the Government itself where the Government is an employer of labor.

It seems to me, Mr. President, that the language of the President in this official message to Congress echoes the sentiment I gave expression to, and which is very near to my heart, because I believe it to be just and right. I think the President is right. I think he is in touch properly with the people on this question.

Mr. SPOONER. Mr. President, the recommendation of the President did not escape my memory if it did the memory of the Senator from California. I look upon that, of course, as just what it is, the opinion of the President, properly communicated to Congress, as to a change which he conceives ought to be made in the laws of the United States. Of course that is persuasive and entitled to earnest and respectful consideration. But when the time comes to act upon it I hope to be able to



remember that the question for me to consider is what, after a thorough and faithful study, my judgment is about it as a Senator acting under oath and a member of a coordinate and independent branch of the Government.

When the time comes, I may vote for that proposition, after carefully considering it, and I suppose the Senator may do so before carefully considering it. I may not see my way clear to vote for it. It does not arise upon this bill in any view of it. The next bill to this is just like this bill. These are not isolated cases. I know of a number in this city who are similarly situated. I know some one who has been helped privately from sympathy who is similarly situated. The question is not this particular bill, but whether we should go into this business as a rule. If we do it in one case, we ought to do it in all.

Mr. WARREN. Mr. President—

Mr. SPOONER. Just a moment and I will be through. I realize that in the face of such appeals—

Mr. TILLMAN. Mr. President—

Mr. SPOONER. Pardon me for just a moment. It is an ungracious office to oppose such a measure, and I want to be relieved by the Senator from South Carolina (I would not under the circumstances choose the Senator from California), but I should like to be relieved from further exercising the function of a "watchdog of the Treasury" this afternoon.

Mr. WARREN. Mr. President, without reference to this particular bill the Committee on Claims, which reported this and a very, very few other similar bills, does not undertake to establish any precedent or to overturn any precedent already established. There are innumerable bills of personal injury that come before that committee, and nearly all of them are passed upon unfavorably. But there are some that appeal, not only to our sympathies, but to our love of justice, and they appear in a way that the committee believe them entitled to favorable consideration, and that relief should be afforded by the Government to in some measure compensate for their great loss.

I dare say that out of the number of claims that we refuse to pass favorably upon in that committee there are many which any member of the committee would cheerfully acknowledge were claims upon his pocket, as well as sympathy, if he were in business and the injured person in his employ.

Similar bills have passed this Congress and in prior Congresses. Possibly some have passed that ought not to pass. It is my belief that a great many have not passed which ought to pass. I recall two or three passed in the first session of this Congress. It is not a matter of precedent. It is a matter of gratuity, if you wish to put it that way, though it be only a matter of partial compensation for great personal harm suffered by the claimant. The Government does not assume by payment that it is legally responsible. When it pays one it does not agree that it will pay another.

It is simply that where a case is strong enough to appeal to the judgment and conscience of Congress a gratuity is allowed. Our laws have recognized gratuities and our courts also, and that the Government may appropriate and pay sums that, strictly speaking, are a gratuity.

Mr. TILLMAN. Mr. President, I am unfortunate inasmuch as I am here in the attitude of making comparisons. I recall a case in my own personal knowledge. When the Government began work on the Charleston jetties they leased a quarry 3 miles from where I live. Many of the employees of the Government were people whom I knew. Among them was one who was employed to run the engine for hoisting. By some explosion either of dynamite or through some accident (I have forgotten the details) that man had one eye put out and his hand so lacerated that he can not use it, and his arm was broken. I have tried three or four times to get through a bill for his relief, but I could not find any of that milk of human kindness which seems to have settled down here. I do not want to get up an Irish bull of a simile, but anyhow the present Committee on Claims is immersed in the milk of human kindness, and we are gratuitously distributing money contrary to the usage heretofore and the technical construction of the rights of individuals under such circumstances.

I notice another thing. This claim is ten years old. This man happened with this misfortune in 1894, and, while the bill as originally introduced provides for \$5,000, the committee is so gracious and kindly and so humanitarian in its aspirations and feelings that it proposes to give him \$30,000.

Mr. McCOMAS and Mr. PERKINS. Three thousand dollars.

Mr. TILLMAN. Fifty dollars a month for sixty months. I beg your pardon. All right; it is \$3,000. Why do you not say \$3,000 in the bill? I made just a little miscalculation in arithmetic. I thought possibly I might get some recognition of the claim of my old friend down there, who is not limping through life, but he is blind in one eye. That is not an obstruction to

working; I do a little work with one eye; but still when the claim came to this committee it never would look at any bill I introduced for his relief. Why these discriminations? Why not have a general law providing for the compensation of Government employees under certain circumstances and lay down a general rule? Why leave it to the whims and generosity, so to speak, of this or that committee?

Mr. McCOMAS. Will the Senator from South Carolina permit me?

Mr. TILLMAN. Certainly. I am asking the question of some one.

Mr. McCOMAS. In this case this man has had a bill in the Senate and House ever since the time of the injury.

Mr. TILLMAN. I have had my bill here three or four times and I never could get the committee to even squint at it, much less look at it.

Mr. McCOMAS. This man has now been waiting for eleven years, and if he would have to wait until a general bill were passed he would be much older.

Mr. TILLMAN. I do not want a general bill; I want the specific bill which I introduced and for which I could not get any consideration.

Mr. McCOMAS. If the Senator can not get his own bill passed he ought to help to get this measure through.

Mr. TILLMAN. I do not believe in making flesh of one and fowl of another; and if I can not get compensation for a South Carolinian whose eye was put out while he was working for the Government I do not want a man from Maryland or Virginia, or from anywhere else, to get compensation for injury under the same circumstances. I object to this bill.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment.

Mr. TILLMAN. I object to its consideration, if I am still in time.

The PRESIDING OFFICER. The Senator will have to move that the bill be laid aside.

Mr. TILLMAN. I beg pardon; I thought we were taking up unobjected bills.

Mr. GORMAN. No, sir.

Mr. TILLMAN. All right; then I will introduce a bill immediately and will hope to have its favorable consideration, and I will expect to have the two Senators from Maryland to be my right and left bowers when I seek to get something from the Government as a gratuity for my old friend.

The PRESIDING OFFICER. Does the Senator from South Carolina make any motion?

Mr. TILLMAN. No; I do not make any motion. Let the bill go through.

The PRESIDING OFFICER. If there be no further amendment proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and it was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. PLATT of Connecticut. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MILLARD (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. CLARKE]. As he is not present, I withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably absent from the Senate to-day. He is paired with the Senator from West Virginia [Mr. SCOTT].

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I am informed that he would vote the same way as I propose to vote, and I therefore feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. I desire to ask if the junior Senator from Missouri [Mr. STONE] has voted on this proposition. I have just come into the Chamber.

The PRESIDING OFFICER (Mr. PERKINS). The Chair is informed that he has not voted.

Mr. CLARK of Wyoming. I am paired with that Senator, and I refrain from voting.

Mr. CLAPP (after having voted in the affirmative). Observing the absence of the Senator from North Carolina [Mr. SIMMONS], with whom I am paired, I wish to withdraw my vote.

Mr. DEPEW (after having voted in the affirmative). I have a general pair with the Senator from Louisiana [Mr. Mc-

ENERGY]. I transfer that pair to my colleague [Mr. PLATT] and let my vote stand.

Mr. GAMBLE. I ask if the junior Senator from Nevada [Mr. NEWLANDS] has voted.

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. GAMBLE. I have a general pair with the junior Senator from Nevada. If he were present, I should vote "nay."

Mr. MALLORY. I desire to announce that the Senator from Idaho [Mr. DUBOIS] is absent on official business and that he is paired with the senior Senator from Oregon [Mr. MITCHELL].

Mr. BATE. I announce that my colleague [Mr. CARMACK] is absent and is paired with the Senator from Wisconsin [Mr. SPOONER].

Mr. GAMBLE. I transfer my pair to the senior Senator from Rhode Island [Mr. ALDRICH] and I vote "nay."

The result was announced—yeas 23, nays 22, as follows:

## YEAS—23.

Alger	Depew	Gorman	Morgan
Allee	Dillingham	Hansbrough	Perkins
Bacon	Dolliver	Heyburn	Stewart
Blackburn	Foraker	McComas	Warren
Burnham	Foster, La.	McCreary	Wetmore
Clay	Fulton	Martin	

## NAYS—22.

Ankeny	Dryden	Knox	Pettus
Bard	Gallinger	Latimer	Platt, Conn.
Bate	Gamble	Lodge	Proctor
Cullom	Hopkins	McCumber	Tillman
Daniel	Kean	Mallory	
Dietrich	Kittredge	Nelson	

## NOT VOTING—45.

Aldrich	Clark, Wyo.	Hawley	Platt, N. Y.
Allison	Cockrell	Kearns	Quarles
Bailey	Crane	Long	Scott
Ball	Culberson	McEnery	Simmons
Berry	Dick	McLaurin	Smoot
Beveridge	Dubois	Millard	Spooner
Burrows	Elkins	Mitchell	Stone
Burton	Fairbanks	Money	Taliaferro
Carmack	Foster, Wash.	Newlands	Teller
Clapp	Frye	Overman	
Clarke, Ark.	Gibson	Patterson	
Clark, Mont.	Hale	Penrose	

The PRESIDING OFFICER. The vote develops the fact that there is not a quorum voting.

Mr. GALLINGER and Mr. PLATT of Connecticut. Let the roll be called.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll; and the following Senators responded to their names:

Alger	Daniel	Gorman	Millard
Allee	Depew	Heyburn	Morgan
Allison	Dick	Hopkins	Nelson
Ankeny	Dietrich	Kean	Perkins
Bacon	Dillingham	Kittredge	Pettus
Bard	Dolliver	Knox	Platt, Conn.
Bate	Dryden	Latimer	Proctor
Blackburn	Elkins	Lodge	Stewart
Burnham	Foraker	McComas	Tillman
Clapp	Foster, La.	McCreary	Warren
Clark, Wyo.	Fulton	McCumber	Wetmore
Clay	Gallinger	Mallory	
Cullom	Gamble	Martin	

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present. The question recurs upon the passage of the bill, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I will transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the senior Senator from Connecticut [Mr. HAWLEY], and vote. I vote "yea."

Mr. CLARK of Wyoming (when his name was called). I am paired with the junior Senator from Missouri [Mr. STONE], but as he is not present I withhold my vote. If he were present, I should vote "yea."

Mr. DEPEW (when his name was called). I transfer my pair with the Senator from Louisiana [Mr. MCENERY] to my colleague [Mr. PLATT of New York], and vote "yea."

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS], but I transfer that pair to the senior Senator from Rhode Island [Mr. ALDRICH], and vote. I vote "nay."

Mr. McLAURIN (when his name was called). I have a general pair with the senior Senator from Washington [Mr. FOSTER]. I therefore withhold my vote.

Mr. MILLARD (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE], and therefore withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO's name was called). I again announce the unavoidable absence of my colleague [Mr. TALIAFERRO], who is paired with the junior Senator from West Virginia [Mr. SCOTT].

The roll call was concluded.

Mr. CLARK of Wyoming. I desire to transfer my pair with the Senator from Missouri [Mr. STONE] to the Senator from Delaware [Mr. BALL], and vote. I vote "yea."

The result was announced—yeas 25, nays 23, as follows:

## YEAS—25.

Alger	Depew	Gorman	Perkins
Allee	Dick	Hansbrough	Stewart
Bacon	Dillingham	Heyburn	Warren
Blackburn	Elkins	McComas	Wetmore
Burnham	Foraker	McCreary	
Clapp	Foster, La.	Martin	
Clark, Wyo.	Fulton	Morgan	

## NAYS—23.

Allison	Dietrich	Kittredge	Nelson
Ankeny	Dryden	Knox	Pettus
Bard	Gallinger	Latimer	Platt, Conn.
Bate	Gamble	Lodge	Proctor
Cullom	Hopkins	McCumber	Tillman
Daniel	Kean	Mallory	

## NOT VOTING—42.

Aldrich	Cockrell	Kearns	Platt, N. Y.
Bailey	Crane	Long	Quarles
Ball	Culberson	McEnery	Scott
Berry	Dolliver	McLaurin	Simmons
Beveridge	Dubois	Millard	Smoot
Burrows	Fairbanks	Mitchell	Spooner
Burton	Foster, Wash.	Money	Stone
Carmack	Frye	Newlands	Taliaferro
Clark, Mont.	Gibson	Overman	Teller
Clarke, Ark.	Hale	Patterson	
Clay	Hawley	Penrose	

So the bill was passed.

The Committee on Claims reported an amendment to the second clause of the preamble, in the eighth line, by striking out the date "1891" and inserting "1894."

Mr. GALLINGER. I move to strike out the preamble as a whole. It ought not to be in the bill.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Hampshire, striking out the entire preamble.

The amendment was agreed to.

The PRESIDING OFFICER. The bill stands passed without the preamble.

## EXECUTIVE SESSION.

Mr. DOLLIVER. Mr. President, I understand the Senate have agreed to consider the Pension Calendar after 4 o'clock. Owing to the pressure of very important nominations, which ought to be immediately considered, I move that the Senate proceed to the consideration of executive business.

Mr. McCUMBER. I wish the Senator would announce how long the executive session will probably continue.

Mr. DOLLIVER. I should say not more than four or five minutes.

Mr. McCUMBER. With that understanding, I have no objection to the Senator's motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa [Mr. DOLLIVER] that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened.

## STATEHOOD BILL.

Mr. NELSON. I do not know that I am certain about it, and so I beg leave to inquire of the Chair whether the so-called "statehood bill" was laid aside for the entire day, until tomorrow?

The PRESIDING OFFICER. That was the understanding of the Chair, no objection being made at the time.

Mr. NELSON. It goes over as the unfinished business until tomorrow at 2 o'clock?

The PRESIDING OFFICER. It goes over as the unfinished business, and will come up tomorrow at 2 o'clock.

Mr. NELSON. As the unfinished business?

The PRESIDING OFFICER. As the unfinished business.

## ELIZABETH WYNNE.

The PRESIDING OFFICER. The special order of the Senate now is the consideration of unobjected pension bills, and the first case will be stated.

The bill (H. R. 4112) granting an increase of pension to Elizabeth Wynne was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Wynne, widow of William B. Wynne, late surgeon Fourteenth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.



The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOPHIA C. HILLEARY.

The bill (H. R. 2353) granting an increase of pension to Sophia C. Hilleary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sophia C. Hilleary, widow of Henry C. Hilleary, late of Company C, First Regiment Potomac Home Brigade, Maryland Volunteer Cavalry, and to pay her a pension of \$12 a month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN J. CARBERRY.

The bill (H. R. 14150) granting an increase of pension to John J. Carberry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John J. Carberry, late captain Company I, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. DICKEY.

The bill (H. R. 12058) granting an increase of pension to John W. Dickey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Dickey, late of Company D, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. WEAVER.

The bill (H. R. 9771) granting an increase of pension to Mary E. Weaver was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Weaver, widow of John F. Weaver, late of Company E, Fifth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL KURTZ.

The bill (H. R. 10686) granting an increase of pension to Michael Kurtz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Kurtz, late of Company D, Eighth Regiment Maryland Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. BARRON.

The bill (H. R. 7367) granting an increase of pension to John M. Barron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Barron, late third assistant engineer, with relative rank of midshipman, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRUS E. SALADA.

The bill (H. R. 3359) granting an increase of pension to Cyrus E. Salada was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyrus E. Salada, late of Company H, Two hundred and tenth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM A. HELT.

The bill (H. R. 5245) granting an increase of pension to William A. Helt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Helt, late of Company G, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEANIE G. LYLES.

The bill (S. 5455) granting an increase of pension to Jeanie G. Lyles was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeanie G. Lyles, dependent mother of Thomas C. Lyles, late of Company H, Fifth Regiment Maryland Volunteer Infantry, war with Spain, and De Witt C. Lyles, late first lieutenant, Twentieth Regiment United States Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES L. TOWNSEND.

The bill (H. R. 13501) granting an increase of pension to James L. Townsend was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James L. Townsend, late of Company A, Eleventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK W. TAPPEMEYER.

The bill (H. R. 3712) granting a pension to Frederick W. Tappmeyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick W. Tappmeyer, late of Company E, Thirty-fourth Regiment Enrolled Missouri Militia, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALTER P. MITCHELL.

The bill (H. R. 12052) granting a pension to Walter P. Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walter P. Mitchell, late of Captain Thatcher's independent company, Pettis County Missouri Home Guards, and to pay him a pension of \$12 per month.

The bill was reported to the Senate, without amendment, ordered to a third reading, read the third time, and passed.

EDWARD C. JONES.

The bill (H. R. 11984) granting an increase of pension to Edward C. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward C. Jones, late acting second assistant engineer, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH H. SHAY.

The bill (H. R. 10969) granting an increase of pension to Joseph H. Shay was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Shay, late of Company E, First Regiment Colorado Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILIP H. STRUNK.

The bill (H. R. 7241) granting an increase of pension to Philip H. Strunk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Philip H. Strunk, late of Company K, Sixteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WYMAN J. CROW.

The bill (H. R. 1907) granting an increase of pension to Wyman J. Crow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wyman J. Crow, late of Company H, First Regiment California Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD L. RUSSELL.

The bill (H. R. 15744) granting an increase of pension to Edward L. Russell was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Edward L. Russell, late of Company F, Fourth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. WATTS.

The bill (H. R. 14951) granting an increase of pension to Benjamin F. Watts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Watts, late of Company K, Seventieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGNES B. HESLER.

The bill (H. R. 11402) granting an increase of pension to Agnes B. Hesler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Agnes B. Hesler, widow of Frederick Alexander Hesler, late surgeon, United States Navy, and to pay her a pension of \$35 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said Frederick Alexander Hesler until she reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT LIGGATT.

The bill (H. R. 6543) granting an increase of pension to Robert Liggatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Liggatt, late of Company C, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED CHILL.

The bill (H. R. 12397) granting an increase of pension to Alfred Chill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred Chill, late of Company I, Seventh Regiment Kansas Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIJAH ROBERTS.

The bill (H. R. 4211) granting an increase of pension to Elijah Roberts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Roberts, late of Company H, Fifth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. M'KENNEY.

The bill (H. R. 5089) granting an increase of pension to Charles W. McKenney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. McKenney, late of Company H, Twenty-seventh Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SHANLEY.

The bill (H. R. 5692) granting an increase of pension to John Shanley was considered as in the Committee of the Whole. It proposes to place on the pension roll the name of John Shanley, late of Company I, Thirty-ninth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA C. OWEN.

The bill (H. R. 15269) granting a pension to Anna C. Owen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna C. Owen, widow of Alfred D. Owen, late lieutenant-colonel Eightieth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVELYN M. DUNN.

The bill (H. R. 14576) granting an increase of pension to Evelyn M. Dunn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Evelyn M. Dunn, widow of William D. Dunn, late assistant surgeon, Twenty-first Regiment Indiana Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA PARSONS.

The bill (H. R. 6948) granting an increase of pension to Joshua Parsons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua Parsons, late of Company D, Eighty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE DELAND.

The bill (H. R. 808) granting an increase of pension to George Deland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Deland, late of Company I, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER MORRISON.

The bill (H. R. 11451) granting an increase of pension to Alexander Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander Morrison, late of Company A, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DESIRE LEGLISE.

The bill (H. R. 15743) granting an increase of pension to Desire Leglise was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Desire Leglise, late of Company G, Eighteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA A. JOHNSON.

The bill (H. R. 8166) granting an increase of pension to Martha A. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha A. Johnson, widow of William A. Johnson, late captain Company M, Fifteenth Regiment Kansas Volunteer Cavalry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOLA QUALLS.

The bill (H. R. 10945) granting a pension to Lola Qualls was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lola Qualls, helpless and dependent daughter of James M. Qualls, late of Company I, First Regiment Illinois Volunteer Cavalry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MERRITT MEAD.

The bill (H. R. 9115) granting an increase of pension to Merritt Mead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Merritt Mead, late of Company K, One hundred and thirty-fifth Regiment, and Company D, One hundred and ninety-eighth Regiment, Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. STANFIELD.

The bill (H. R. 11148) granting an increase of pension to George W. Stanfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Stanfield, late of Company H, One hundred and twentieth Regiment Indiana Volunteer Infantry, and to pay



him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS E. RICE.

The bill (H. R. 6961) granting an increase of pension to Thomas E. Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas E. Rice, late of Company B, Fifty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M'GREGOR.

The bill (H. R. 10554) granting an increase of pension to John McGregor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McGregor, late of Company D, Nineteenth Regiment, and Company I, Twentieth Regiment, Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. COURTNEY.

The bill (H. R. 6640) granting an increase of pension to John A. Courtney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Courtney, late first lieutenant Company F, Sixty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM W. SMITH.

The bill (H. R. 4728) granting an increase of pension to William Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Smith, late of Company E, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

HIRAM BAIRD.

The bill (H. R. 5436) granting a pension to Hiram Baird was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram Baird, late of Company B, First Regiment East Tennessee National Guards Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRESTON D. ROADY.

The bill (H. R. 5461) granting an increase of pension to Preston D. Roady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Preston D. Roady, late of Company G, Eighth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. KITTS.

The bill (H. R. 12576) granting an increase of pension to William M. Kitts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Kitts, late of Company G, Second Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARISSA E. M'CORMICK.

The bill (H. R. 11235) granting a pension to Clarissa E. McCormick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clarissa E. McCormick, widow of John C. R. McCormick, late second lieu-

tenant Company C, Eightieth Regiment United States Colored Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES GRAVES.

The bill (H. R. 12577) granting an increase of pension to James Graves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Graves, late of Company F, Third Regiment Tennessee Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS O. MARSHALL.

The bill (H. R. 1099) granting an increase of pension to Lewis O. Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis O. Marshall, late captain Company D, Thirtieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY JEFFERS.

The bill (H. R. 4655) granting an increase of pension to Henry Jeffers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Jeffers, late of Company M, Fourth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES GINNANE.

The bill (H. R. 14184) granting an increase of pension to James Ginnane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Ginnane, late of Company E, Eleventh Regiment Illinois Volunteer Infantry, and Company F, Fourteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$14 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD M. RHOADES.

The bill (H. R. 6506) granting an increase of pension to Edward M. Rhoades was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Rhoades, late of the U. S. S. *Cyane*, *Saranac*, and *Savannah*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS H. HAINES.

The bill (H. R. 15688) granting an increase of pension to Augustus H. Haines was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus H. Haines, late of Company K, Eighth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN M. RAYMOND.

The bill (H. R. 6129) granting an increase of pension to Edwin M. Raymond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin M. Raymond, late of Company I, Forty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN CUMMINGS.

The bill (H. R. 2558) granting an increase of pension to John Cummings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Cummings, late of Company B, Fifty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. M'CLURG.

The bill (H. R. 11661) granting an increase of pension to William H. McClurg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of

William H. McClurg, late of Company G, Ninety-fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD H. STILLWELL.

The bill (H. R. 5037) granting an increase of pension to Richard H. Stillwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard H. Stillwell, late of Battery E, Second Regiment United States Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY L. KYLER.

The bill (H. R. 11788) granting an increase of pension to Henry L. Kyler, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry L. Kyler, late of Company A, One hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILSON H. DAVIS.

The bill (H. R. 4948) granting a pension to Wilson H. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilson H. Davis, late of Company F, Second Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL H. HUNT.

The bill (H. R. 2151) granting an increase of pension to Samuel H. Hunt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Hunt, late colonel One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC W. SHERMAN.

The bill (H. R. 9798) granting an increase of pension to Isaac W. Sherman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac W. Sherman, late of Company E, One hundred and third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM SCHEALL.

The bill (H. R. 14601) granting an increase of pension to William Scheall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Scheall, late of Company C, Thirteenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES DONNELLY.

The bill (H. R. 12859) granting an increase of pension to James Donnelly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Donnelly, late of Company A, Seventy-third Regiment Ohio Volunteer Infantry, and Company D, Ninth Regiment Veteran Reserve Corps, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. HAYWARD.

The bill (H. R. 15404) granting an increase of pension to John A. Hayward was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Hayward, late of Company B, Twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL HYATT.

The bill (S. 4392) granting an increase of pension to Samuel Hyatt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Battalion," to strike out the name "Seymour" and insert "Seymour's;" and in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Hyatt, late of Company A, Seymour's Battalion Georgia Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NELLIE B. NEWTON.

The bill (S. 4660) granting an increase of pension to Nellie B. Newton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nellie B. Newton, widow of John Newton, late captain, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said John Newton until she reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LORENZO STREETER.

The bill (H. R. 10272) granting an increase of pension to Lorenzo Streeter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo Streeter, late of Company H, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. THAYER.

The bill (H. R. 14855) granting an increase of pension to Henry C. Thayer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Thayer, late of Company D, First Regiment Massachusetts Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. REYNOLDS.

The bill (H. R. 15144) granting an increase of pension to William J. Reynolds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Reynolds, late captain Company H, Fourth Regiment, and Company B, Seventh Regiment, Rhode Island Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. DORSEY.

The bill (H. R. 912) granting an increase of pension to John F. Dorsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John F. Dorsey, late of Company I, Third Regiment Massachusetts Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL CAYES.

The bill (H. R. 6832) granting an increase of pension to Nathaniel Cayes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathaniel Cayes, late of Company C, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. YOUNG.

The bill (H. R. 15785) granting an increase of pension to Charles E. Young was considered as in Committee of the Whole.



It proposes to place on the pension roll the name of Charles E. Young, late of First Independent Battery New Hampshire Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ORIN PLAISTED.

The bill (H. R. 3287) granting an increase of pension to Orin Plaisted was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orin Plaisted, late of Second Battery, First Regiment Maine Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ISAAC HANSON.

The bill (H. R. 15680) granting an increase of pension to Isaac Hanson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac Hanson, late of Company I, Sixtieth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MATILDA L. CURKENDALL.

The bill (H. R. 15071) granting an increase of pension to Matilda L. Curkendall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matilda L. Curkendall, widow of George Curkendall, late first lieutenant Company D, Third Regiment Iowa Volunteer Cavalry, and lieutenant-colonel One hundred and thirty-eighth Regiment United States Colored Volunteer Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LUCINDA M. REEVES.

The bill (H. R. 15779) granting an increase of pension to Lucinda M. Reeves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucinda M. Reeves, widow of Edward Reeves, late of Company D, First Regiment Massachusetts Volunteer Heavy Artillery, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MARY SUPPES.

The bill (H. R. 15791) granting a pension to Mary Suppes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Suppes, widow of George Suppes, late of Company D, Second Regiment District of Columbia Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LORENZO D. JAMESON.

The bill (H. R. 6857) granting an increase of pension to Lorenzo D. Jameson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo D. Jameson, late of Company H, First Regiment Arkansas Volunteer Cavalry, and first lieutenant Company K, First Regiment Arkansas Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REUBEN ALLRED.

The bill (S. 4897) granting an increase of pension to Reuben Allred was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben Allred, late of Company A, Mormon Battalion, Iowa Volunteers, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JAMES D. BEASLEY.

The bill (S. 4121) granting an increase of pension to James D. Beasley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James D. Beasley, late of Company G, Eighty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FLORA B. BONHAM.

The bill (S. 5568) granting an increase of pension to Flora B. Bonham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Regiment," to insert "and Company A, Fiftieth Regiment," and in line 9, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Flora B. Bonham, widow of Walter J. Bonham, late of Company G, Ninety-ninth Regiment, and Company A, Fiftieth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE W. HALL.

The bill (S. 5939) granting an increase of pension to George W. Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Hall, late first lieutenant Company D, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MARY C. BUCK.

The bill (S. 5868) granting an increase of pension to Mary C. Buck was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary C. Buck, widow of William H. H. Buck, late of Company G, First Regiment Vermont Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### OWEN A. WILLEY.

The bill (S. 5938) granting an increase of pension to Owen A. Willey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Owen A. Willey, late of Company E, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JASON R. C. HOYT.

The bill (S. 5940) granting an increase of pension to Jason R. C. Hoyt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jason R. C. Hoyt, late of Company E, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM A. LUTHER.

The bill (S. 5757) granting an increase of pension to William A. Luther was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Luther, late of Company G, Second Regiment Rhode Island Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, or-

dered to be engrossed for a third reading, read the third time, and passed.

SALLY DICKINSON.

The bill (S. 5712) granting an increase of pension to Sally Dickinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sally Dickinson, widow of Joseph Dickinson, late lieutenant-colonel and assistant adjutant-general and brevet brigadier-general, United States Volunteers, and to pay her a pension of \$50 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HATTIE F. DAVIS.

The bill (S. 6321) granting a pension to Hattie F. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hattie F. Davis, widow of George E. Davis, late of Company D, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIJAH W. GORDON.

The bill (S. 6092) granting an increase of pension to Elijah W. Gordon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah W. Gordon, late of Company M, Second Regiment California Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM WELCH.

The bill (S. 6091) granting an increase of pension to William Welch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Welch, late of Company I, Fourteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN BARTLETT.

The bill (S. 184) granting an increase of pension to John Bartlett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Bartlett, late of Company K, Fourth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH JANE SIMONDS.

The bill (S. 355) granting a pension to Sarah Jane Simonds was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Jane Simonds, widow of William E. Simonds, late second lieutenant Company I, Twenty-fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. McCANN.

The bill (S. 4239) granting an increase of pension to William H. McCann was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. McCann, late of Company H, Thirteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES L. HARMON.

The bill (S. 6130) granting an increase of pension to Charles L. Harmon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles L. Harmon, late of Company C, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY O. KENT.

The bill (S. 5426) granting a pension to Henry O. Kent was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry O. Kent, late colonel Seventeenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WARREN P. TENNEY.

The bill (S. 5961) granting an increase of pension to Warren P. Tenney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and Company D, Twenty-fourth Regiment Veteran Reserve Corps;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Warren P. Tenney, late of Company H, Tenth Regiment Vermont Volunteer Infantry, and Company D, Twenty-fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY J. BARTLETT.

The bill (S. 5958) granting an increase of pension to Mary J. Bartlett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-five" and insert "seventeen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Bartlett, widow of Charles E. Bartlett, late first lieutenant Company A, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$17 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS G. PARISH.

The bill (S. 5842) granting an increase of pension to Thomas G. Parish was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas G. Parish, late of Company E, Twelfth Battalion Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.



The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES HULME.

The bill (S. 6004) granting an increase of pension to James Hulme was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Hulme, late of Company D, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NELSON P. SMITH.

The bill (S. 5841) granting an increase of pension to Nelson P. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nelson P. Smith, late of Company E, One hundred and twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EPHRAIM W. HARRINGTON.

The bill (S. 6094) granting an increase of pension to Ephraim W. Harrington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "late of," to strike out "Companies B and" and insert "Company;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ephraim W. Harrington, late of Company G, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUCY LYTTON.

The bill (S. 5975) granting an increase of pension to Lucy Lytton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucy Lytton, widow of John N. Lytton, late of Company A, Fifty-third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLORENCE O. WHITMAN.

The bill (S. 5947) granting an increase of pension to Florence O. Whitman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Florence O. Whitman, widow of Frank H. Whitman, late captain, Second Regiment United States Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GUSTAVUS S. YOUNG.

The bill (S. 1420) granting an increase of pension to Gustavus S. Young was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gustavus S. Young, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PIERPONT H. B. MOULTON.

The bill (S. 4888) granting an increase of pension to Pierpont H. B. Moulton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pierpont H. B. Moulton, late of Company H, First Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. CLEMENS.

The bill (S. 2707) granting an increase of pension to James M. Clemens was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Clemens, late of Company E, Twelfth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES M. SHEPHERD.

The bill (S. 4075) granting an increase of pension to Charles M. Shepherd was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Shepherd, late midshipman, United States Navy, and second lieutenant, Third Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET M'KEE PENTLAND.

The bill (S. 5678) granting a pension to Margaret McKee Pentland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret McKee Pentland, formerly Margaret McKee, late nurse, medical department United States Volunteers, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Margaret McKee Pentland, formerly Margaret McKee."

FRANCIS M. SAMS.

The bill (S. 6116) granting an increase of pension to Francis M. Sams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "first lieutenant and," and in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis M. Sams, late first lieutenant and adjutant, First Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSIE C. G. SEABURY.

The bill (S. 5509) granting an increase of pension to Susie G. Seabury was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "Susie," to insert the letter "C.," and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-five;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susie C. G. Seabury, widow of Samuel Seabury, late lieutenant, United States Navy, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Susie C. G. Seabury."

EZEKIEL RIGGS.

A bill (S. 4760) granting an increase of pension to Ezekiel Riggs was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Delaware," to strike out "Volunteers" and insert "Volunteer Infantry, and Company C, Ninth Regiment Veteran Reserve Corps," and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ezekiel Riggs, late of Company I, First Regiment Delaware Volunteer Infantry, and Company C, Ninth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN A. KINGMAN.

The bill (S. 5527) granting an increase of pension to John A. Kingman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Kingman, late of Company H, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JESSE WOODRUFF.

The bill (S. 5727) granting an increase of pension to Jesse Woodruff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enactment clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse Woodruff, late first lieutenant Captain C. M. Clay's company, First Regiment Kentucky Mounted Volunteers, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM S. MOORHOUSE.

The bill (S. 6194) granting an increase of pension to William S. Moorhouse was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "captain;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Moorhouse, late captain Company B, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM V. MORRISON.

The bill (S. 5856) granting an increase of pension to William V. Morrison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 6, after the word "late," to strike out "a landsman in the" and insert "of the U. S. S. Potomac;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William V. Morrison, late of U. S. S. Potomac, United States Navy, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS J. LUCAS.

The bill (S. 2572) granting an increase of pension to Thomas J. Lucas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Lucas, late colonel Sixteenth Regiment Indiana Volunteer Infantry, and brigadier-general and brevet major-general, United States Volunteers, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEROME BRADLEY.

The bill (S. 5540) granting an increase of pension to Jerome Bradley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jerome Bradley, late captain and assistant quartermaster, United States Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES W. KINKEAD.

The bill (S. 141) granting an increase of pension to James W. Kinkead was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Kinkead, late of Company H, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JARED PRINDLE.

The bill (S. 5943) granting an increase of pension to Jared Prindle was considered as in Committee of the Whole.



The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Heavy," to insert "Volunteer;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jared Prindle, late of Company H, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. HARPER.

The bill (S. 2074) granting an increase of pension to James A. Harper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Harper, late of Company C, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN SCHUBERT.

The bill (S. 5698) granting an increase of pension to Martin Schubert was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin Schubert, late of Company E, Twenty-sixth Regiment New York Volunteer Infantry, and Company C, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH C. WALKINSHAW.

The bill (S. 1794) granting an increase of pension to Joseph C. Walkinshaw was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph C. Walkinshaw, late of Company I, Ninth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB O. WHITE.

The bill (S. 6193) granting an increase of pension to Jacob O. White was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to strike out "in lieu of that he is now receiving;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob O. White, late of Company K, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Jacob O. White."

JAMES W. STICKLEY.

The bill (S. 5670) granting an increase of pension to James William Stickley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Stickley," to strike out "William" and insert the letter "W.;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Stickley, late of Company K, Fourth Regiment West Virginia Volunteers Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James W. Stickley."

CHARLES P. THURSTON.

The bill (S. 5953) granting an increase of pension to Charles P. Thurston was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "private;" and in line 8, before the word "dollars," to insert "thirty;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Thurston, late of Company G, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. BENEDICT.

The bill (S. 5451) granting an increase of pension to George W. Benedict was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "Sixth," to strike out "Regiment" and insert "Independent Battery;" and in line 7, after the word "Wisconsin," to insert "Volunteer;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Benedict, late of Sixth Independent Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALMA YOHUM.

The bill (S. 5941) granting an increase of pension to Alma Yohum was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "widow of," to strike out the name "Phillip" and insert "Philipp;" in line 10, after the word "said," to strike out the name "Phillip" and insert "Philipp;" and in line 12, after the word "years," to insert the following proviso:

*Provided*, That in the event of the death of Mary Anna Yohum, blind and dependent child of said Philipp Yohum, the additional pension herein granted shall cease and determine.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alma Yohum, widow of Philipp Yohum, late of Company H, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the minor children of said Philipp Yohum until they reach the age of 16 years: *Provided*, That in the event of the death of Mary Anna Yohum, blind and dependent child of said Philipp Yohum, the additional pension herein granted shall cease and determine.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. GODOWN.

The bill (S. 3635) granting a pension to John M. Godown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "lieutenant," to strike

out "of;" in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" and in the same line after the word "month" to insert "in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Godown, late first lieutenant Company K, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John M. Godown."

#### JANE FRANCIS.

The bill (S. 4135) granting an increase of pension to Jane Francis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "captain," to strike out "of;" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Francis, widow of Henry Francis, late captain Company F, Ninety-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JANE M. BLACK.

The bill (S. 2419) granting an increase of pension to Jane M. Black was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "captain," to strike out "of;" and in line 7, after the word "Minnesota," to strike out "Regiment;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane M. Black, widow of Mahlon Black, late captain Second Company Minnesota Volunteer Sharpshooters, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JAMES M'GINNIS.

The bill (S. 6192) granting an increase of pension to James McGinnis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James McGinnis, late of Company G, Fifty-first Regiment New York Volunteer Infantry, and Company I, Fifteenth Regiment Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FREDERICK FEIGLEY.

The bill (S. 6195) granting an increase of pension to Frederick Feigley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Feigley, late of Company E, Twelfth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LEONARD DELAMATER.

The bill (S. 6085) granting an increase of pension to Leonard Delamater was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leonard Delamater, late of Company F, Eighty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CHARLES R. VAN NORMAN.

The bill (S. 6191) granting an increase of pension to Charles R. Van Norman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles R. Van Norman, late of Company F, Fourth Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM C. DICKINSON.

The bill (S. 6196) granting an increase of pension to William C. Dickinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Dickinson, late of Company C, Hatch's battalion, Minnesota Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE W. GRAY.

The bill (S. 4159) granting an increase of pension to George W. Gray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Gray, late of Sixth Battery, Wisconsin Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JAMES MILLER.

The bill (S. 3939) granting an increase of pension to James Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Miller, late of Company H, Fourth Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LEONARD L. LANCASTER.

The bill (S. 4691) granting an increase of pension to Leonard L. Lancaster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leonard L. Lancaster, late of Company L, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MARTIN MACK.

The bill (S. 5550) granting an increase of pension to Martin Mack was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martin Mack, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JESSE COLLINS.

The bill (S. 825) granting an increase of pension to Jesse Collins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Collins, late of Company K, One hundred and third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS H. MUCHMORE.

The bill (S. 830) granting an increase of pension to Thomas H. Muchmore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas H. Muchmore, late of Company K, First Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FRANCES C. BROWN.

The bill (S. 69) granting an increase of pension to Frances C. Brown was considered as in Committee of the Whole. It



proposes to place on the pension roll the name of Frances C. Brown, widow of Peter L. Brown, late of Company E, Third Regiment, and Company M, Sixth Regiment, Missouri State Militia Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ABNER TAYLOR.

The bill (S. 104) granting an increase of pension to Abner Taylor was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Regiment," to insert "and Company A, Eleventh Regiment;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abner Taylor, late of Company E, Third Regiment, and Company A, Eleventh Regiment, Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIAS STILLWELL.

The bill (S. 5432) granting an increase of pension to Elias Stillwell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elias Stillwell, late of Company A, Pettis County Missouri Home Guards, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC DAVISSON.

The bill (S. 3074) granting an increase of pension to Isaac Davison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac Davison, late of Company I, Fourth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. BERTOLETTE.

The bill (S. 826) granting an increase of pension to John C. Bertolette was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Bertolette, late of Companies H and F, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUTHER M. BARTLOW.

The bill (S. 5802) granting an increase of pension to Luther M. Bartlow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to

the provisions and limitations of the pension laws, the name of Luther M. Bartlow, late of Company B, Sixth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM T. GRAHAM.

The bill (S. 5812) granting an increase of pension to William T. Graham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Graham, late of Company C, Fiftieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM STEELE.

The bill (S. 5808) granting an increase of pension to William Steele was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Steele, late of Company L, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORT OF ISTHMIAN CANAL COMMISSION.

The PRESIDING OFFICER (Mr. KEAN in the chair) laid before the Senate the following message from the President of the United States; which was read, and referred to the Committee on Inter-oceanic Canals, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith the report of the Isthmian Canal Commission, accompanied by a letter of the Secretary of War, under whose supervision I have, by Executive order, placed the work of the Commission. I concur with the Secretary of War in the view that the present provision of law, by which the work of building the canal has to be done only through a body of seven members, is inflexible and clumsy, and I earnestly recommend a change so that the President, who is charged with the responsibility of building the canal, may exercise greater discretion in the organization of the personnel through whom he is to discharge this duty. Actual experience has convinced me that it will be impossible to obtain the best and most effective service under the limitations prescribed by law. The general plans for the work must be agreed upon with the aid of the best engineers of the country, who should act as an advisory or consulting body. The consulting engineers should not be put on the Commission, which should be used only as an executive instrument for the executive and administrative work. The actual work of executing the general plans agreed upon by the Commission, after receiving the conclusions of the advising engineers, must be done by an engineer in charge, and we now have an excellent engineer. It is, in my judgment, inadvisable, therefore, to restrict the Executive's choice of commissioners to representatives of the Engineer Corps of the Army or the Navy. The Commission should consist of five, or preferably of three, members, whose respective duties, powers, and salaries should be assigned to them by the President, and who should be placed under the member of the Cabinet whom the President desires. Of these men the one appointed as administrator of the Canal Strip should also serve as minister to Panama.

THEODORE ROOSEVELT.

The WHITE HOUSE, January 13, 1905.

NOTE.—Report accompanied similar message to House of Representatives.

#### JUDICIAL SYSTEM IN CHINA AND KOREA.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith, for the consideration of Congress, a report by the Secretary of State concerning the importance of reform in our extraterritorial judicial system in China and Korea, with accompanying papers, including a draft of an act providing for the establishment of a district court of the United States for China and Korea.

THEODORE ROOSEVELT.

The WHITE HOUSE,  
Washington, January 13, 1905.

ADRIA M. S. MOALE.

The bill (S. 6268) granting an increase of pension to Adria M. S. Moale was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adria M. S. Moale, widow of Edward Moale, jr., late lieutenant, United States Navy, and to pay her a pension of \$35 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said Edward Moale, jr., until he reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## JAMES M'AULIFF.

The bill (S. 5892) granting an increase of pension to James McAuliff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James McAuliff, late of Company D, Second Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## CYRUS WETHERELL.

The bill (S. 5809) granting an increase of pension to Cyrus Wetherell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrus Wetherell, late of Company C, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JAMES M'KIM.

The bill (S. 5815) granting an increase of pension to James McKim was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "of," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James McKim, late second and first Lieutenant, Sixth Regiment, and captain, Thirty-ninth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM SMITH.

The bill (S. 6074) granting an increase of pension to William Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "State," to insert "Militia;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Smith, late of Company C, First Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ANNE E. WILSON.

The bill (S. 6152) granting an increase of pension to Annie E. Wilson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of," to strike out "Annie" and insert "Anne;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anne E. Wilson, widow of David Wilson, late of Captain Dull's company, Ohio Militia, war of 1812, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Anne E. Wilson."

## ANDREW S. GRAHAM.

The bill (S. 5766) granting an increase of pension to Andrew S. Graham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew S. Graham, late captain Company A, Ninth Regiment New York Volunteer Infantry, and first Lieutenant Company E, Fourteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## MARY MARTIN.

The bill (S. 4823) granting an increase of pension to Mary Martin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "William," to strike out "the late;" and in the same line, after the name "Martin," to insert "late;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Martin, widow of William Martin, late of Captain J. H. Winbush's company, Virginia Militia, war of 1812, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JENNIE PETTEYS.

The bill (H. R. 5341) granting a pension to Jennie Petteys was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie Petteys, widow of William F. Petteys, late unassigned, Fifth Regiment New York Volunteer Engineers, and to pay her a pension at the rate of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ALBERT S. GRAHAM.

The bill (H. R. 14774) granting an increase of pension to Albert S. Graham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert S. Graham, late of Company F, One hundred and twentieth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BENJAMIN DILLINGHAM.

The bill (H. R. 14879) granting an increase of pension to Benjamin Dillingham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin Dillingham, late of Company F, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SEELEY EARNEST.

The bill (H. R. 14875) granting an increase of pension to Seeley Earnest was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Seeley Earnest, late of Company F, Twenty-fifth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## AMOS JONES.

The bill (H. R. 15207) granting an increase of pension to Amos Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amos Jones, late of Company G, Eighty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HARRIET A. ORR.

The bill (H. R. 15634) granting a pension to Harriet A. Orr was considered as in Committee of the Whole. It proposes to



place on the pension roll the name of Harriet A. Orr, dependent mother of Daniel B. St. John Orr, late of Company K, Fifty-sixth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. CAPRON.

The bill (H. R. 15473) granting an increase of pension to James W. Capron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Capron, late of Company K, Twenty-first Regiment New York Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAH LOVEJOY.

The bill (H. R. 8996) granting an increase of pension to Diah Lovejoy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Diah Lovejoy, late of Company A, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HALL.

The bill (H. R. 15387) granting an increase of pension to William Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hall, late of Company I, One hundred and fiftieth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN K. TYLER.

The bill (H. R. 13064) granting an increase of pension to John K. Tyler was considered as in Committee of the Whole. It proposes to place on the pension roll, the name of John K. Tyler, late of Companies G and C, One hundred and twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY L. FAUNT LE ROY.

The bill (S. 5705) granting a pension to Mary L. Faunt Le Roy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Faunt Le Roy, widow of Robert P. Faunt Le Roy, late captain, United States Marine Corps, and pay her a pension at the rate of \$20 per month, and \$2 per month additional on account of the minor child of said Robert P. Faunt Le Roy until he reaches the age of sixteen years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CORDELIA BIRD.

The bill (S. 5971) granting a pension to Cordelia Bird was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cordelia Bird, widow of Ziba Bird, late of Company A, Eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAZILLA LESTER.

The bill (S. 3435) granting a pension to Mazilla Lester was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with

an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mazilla Lester, widow of James Lester, late of Company B, Ninth Regiment West Virginia Volunteer Infantry, and Company I, First Regiment West Virginia Veteran Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN V. TROUGH.

The bill (S. 4722) granting a pension to M. V. Trough was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin V. Trough, late of Company A, Fourteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Martin V. Trough."

PHOEBE E. LYDA.

The bill (S. 2828) granting a pension to Phoebe E. Lyda was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phoebe E. Lyda, widow of Andrew J. Lyda, late chaplain Third Regiment West Virginia Volunteer Infantry, subsequently Sixth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Phoebe E. Lyda."

ELIZABETH F. GIVIN.

The bill (S. 2913) granting an increase of pension to Elizabeth F. Givin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth F. Givin, widow of William F. Givin, late of the United States Marine Corps, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Elizabeth F. Givin."

JOHN B. HAMMER.

The bill (S. 3517) granting an increase of pension to John B. Hammers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Hammers" and insert "Hammer;" in line 8, before the word "and," to strike out "Volunteers" and insert "Volunteer Infantry;" and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Hammer, late of Company D, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John B. Hammer."

JOSEPH K. ARMSTRONG.

The bill (S. 2189) granting an increase of pension to Joseph K. Armstrong was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Cavalry," to insert "Volunteer," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph K. Armstrong, late of Company D, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES MINNICK.

The bill (S. 5523) granting an increase of pension to James Minnick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Minnick, late of Company A, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN T. CROSS.

The bill (S. 6351) granting an increase of pension to Martin T. Cross was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read: out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin T. Cross, late of Company A, One hundred and forty-second Regiment New York Volunteer Infantry, and Forty-ninth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. KITTREDGE. I ask that the amendment of the committee be disagreed to. The reason for this action is based upon the fact that this soldier saw more than three years of service and was wounded in the war. He is over 67 years of age and is now utterly helpless. He is unable to walk and requires the constant care and attention of another person, and he is entirely destitute.

Mr. McCUMBER. I understand also that he has had a stroke of paralysis—

Mr. KITTREDGE. Yes; just about a year ago.

Mr. McCUMBER. And that he needs continuous and constant attention. Under that statement I consent that the amendment shall be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. This completes the Pension Calendar.

Mr. McCUMBER. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 14, 1905, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate January 13, 1905.*

##### INTERSTATE COMMERCE COMMISSIONER.

James D. Yeomans, of Iowa, to be an Interstate Commerce Commissioner for the term of six years. This is a reappointment.

##### APPRAISER OF MERCHANDISE.

Miner G. Norton, of Ohio, to be appraiser of merchandise in the district of Cuyahoga, in the State of Ohio, to succeed Alexander Bruce, removed.

##### UNITED STATES MARSHAL.

Frank M. Chandler, of Ohio, to be United States marshal for the northern district of Ohio. A reappointment, his term having expired June 4, 1904.

##### POSTMASTER.

##### OHIO.

Charles C. Dewstoe to be postmaster at Cleveland, in the county of Cuyahoga and State of Ohio, in place of Charles C. Dewstoe. Incumbent's commission expired December 12, 1903.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 13, 1905.*

##### INTERSTATE COMMERCE COMMISSIONER.

James D. Yeomans, of Iowa, to be an Interstate Commerce Commissioner for the term of six years.

##### AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

David E. Thompson, of Nebraska, now envoy extraordinary and minister plenipotentiary at that place to be ambassador extraordinary and plenipotentiary of the United States to Brazil.

##### SECRETARY OF LEGATION.

Irwin B. Laughlin, of Pennsylvania, to be second secretary of the legation of the United States to Japan.

##### APPOINTMENT IN THE NAVY.

John N. Jordan, a citizen of the State of Maine, to be an assistant paymaster in the Navy from the 6th day of January, 1905.

##### PROMOTIONS IN THE NAVY.

Naval Constructor William J. Baxter to be a naval constructor in the Navy with the rank of captain from the 21st day of May, 1904.

Naval Constructor Elliot Snow to be a naval constructor in the Navy with the rank of commander from the 21st day of May, 1904.

Lieut. (Junior Grade) Edward C. Kalbfus to be a lieutenant in the Navy from the 18th day of December, 1904.

Lieut. Philip Andrews to be a lieutenant-commander in the Navy from the 1st day of January, 1905.

First Lieut. William W. Low to be a captain in the Marine Corps from the 1st day of December, 1904.

First Lieut. Leof M. Harding to be a captain in the Marine Corps from the 9th day of December, 1904.

First Lieut. Harold C. Reisinger to be a captain in the Marine Corps from the 15th day of December, 1904.

Asst. Paymaster William C. Fite to be a passed assistant paymaster in the Navy from the 16th day of August, 1904.

*To be passed assistant paymasters in the Navy with the rank of lieutenant from the 24th day of August, 1904.*

John F. Hatch.

Frederick G. Pyne.

Frederick B. Colby.

Edward E. Goodhue.

William R. Bowne.

Rishworth Nicholson.

Howard H. Alkire, a citizen of Ohio, to be an assistant paymaster in the Navy from the 30th day of November, 1904, to fill a vacancy existing in that grade on that date.

##### RECEIVER OF PUBLIC MONEYS.

Charles J. Greene, of Louisiana, to be receiver of public moneys at Natchitoches, La.

##### POSTMASTERS.

##### GEORGIA.

William C. Cole to be postmaster at Lawrenceville, in the county of Gwinnett and State of Georgia.

Mary L. Darden to be postmaster at Hogansville, in the county of Troup and State of Georgia.

Mary P. Dixon to be postmaster at Westpoint, in the county of Troup and State of Georgia.

Andrew D. McComb to be postmaster at Buenavista, in the county of Marion and State of Georgia.

David B. Rigdon to be postmaster at Statesboro, in the county of Bulloch and State of Georgia.

Clarence W. Withoft to be postmaster at Fort Valley, in the county of Houston and State of Georgia.

##### IOWA.

Albert R. Kullmer to be postmaster at Dysart, in the county of Tama and State of Iowa.

##### NORTH DAKOTA.

Peter C. Burfening to be postmaster at Kulm, in the county of Lamoure and State of North Dakota.



## SOUTH CAROLINA.

John E. McLure to be postmaster at Bishopville, in the county of Lee and State of South Carolina.

## ARBITRATION TREATY WITH AUSTRIA-HUNGARY.

The injunction of secrecy was removed January 13, 1905, from an arbitration convention between the United States and Austria-Hungary, signed at Washington on January 6, 1905.

## ARBITRATION-TREATY CONVENTIONS.

The injunction of secrecy was removed January 13, 1905, from arbitration conventions between the United States and Great Britain, Portugal, France, Switzerland, and Germany.

## ARBITRATION TREATY FOR PECUNIARY CLAIMS.

The injunction of secrecy was removed January 13, 1905, from a treaty of arbitration for pecuniary claims, signed at the City of Mexico on January 30, 1902, by the delegates of the American republics to the Second International Conference of American States.

## HOUSE OF REPRESENTATIVES.

FRIDAY, *January 13, 1905.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE.

A message from the Senate announced that that body had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 92.

*Resolved by the Senate (the House of Representatives concurring),* That there be printed in paper covers, at the Government Printing Office, 5,500 additional copies of the annual report of the Commissioner-General of Immigration for the year ending June 30, 1904, with illustrations, of which 1,000 shall be for the use of the Senate and 2,000 for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution.

The message also announced that the Senate had passed the following resolution:

*Resolved,* That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5359) to amend an act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia, approved June 3, 1896.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to Senate concurrent resolution No. 91, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT of New York, Mr. ELKINS, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 6057. An act making Sherwood, N. Dak., a subport of entry.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 15320. An act to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896.

## ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 1513. An act for the relief of the estate of George W. Saulpaw;

H. R. 6351. An act to pay J. B. McRae \$99 for services as hospital steward, etc.;

H. R. 15981. An act to amend an act entitled "An act to authorize the Pearl and Leaf Rivers Railroad Company to bridge Pearl River, in the State of Mississippi;"

H. R. 15606. An act to authorize the county of Itawamba, in the State of Mississippi, to construct a bridge across the Tombigbee River near the town of Fulton, in the said county and State; and

H. R. 15810. An act to authorize Caldwell Parish, La., to construct a bridge across the Ouachita River.

The SPEAKER announced his signature to enrolled bill and joint resolutions of the following titles:

S. 3728. An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska, and for other purposes;

S. R. 24. Joint resolution authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Luis Bográn H., of Honduras; and

S. R. 78. Joint resolution authorizing the Secretary of War to receive, for instruction at the Military Academy at West Point, Frutos Tomás Plaza, of Ecuador.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 6270. An act directing the issue of a check in lieu of a lost check drawn in favor of W. W. Montague & Co., of San Francisco, Cal.—to the Committee on Claims.

S. 6057. An act making Sherwood, N. Dak., a subport of entry—to the Committee on Ways and Means.

S. 5798. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak.—to the Committee on Interstate and Foreign Commerce.

Senate concurrent resolution 92:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed in paper covers, at the Government Printing Office, 5,500 additional copies of the annual report of the Commissioner-General of Immigration for the year ending June 30, 1904, with illustrations, of which 1,000 shall be for the use of the Senate and 2,000 for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution—

to the Committee on Printing.

Also:

*Resolved,* That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 5359) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896—to the Committee on the District of Columbia.

## THE PHILIPPINES.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 14623, the Philippine bill, which comes back here from the Senate with amendments. The Committee on Insular Affairs have had it under consideration and report it back with instructions to me to ask for a conference on the disagreeing votes of the two Houses.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to consider a bill of which the Clerk will report the title, with a view to moving nonconcurrence in the Senate amendments and asking for a conference.

The Clerk read the title of the bill, as follows:

A bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

The SPEAKER. Is there objection?

Mr. GAINES of Tennessee. Mr. Speaker, just a moment. I want to ask the gentleman in charge of the matter to what extent and why the metric system has been adopted for the Philippines? We have the matter now pending before the Coinage Committee, in its relation to this country, and there has been a great deal of opposition to it. Now, as we are Americanizing those islands, I should like to know why it is that either the House or the Senate has injected that system into this bill.

Mr. COOPER of Wisconsin. Mr. Speaker, that matter can not go into conference, because it has been agreed upon by the two Houses; but in reply to the question of the gentleman from Tennessee, I will say that that amendment was made upon the urgent recommendation of the Philippine Commission. The arbitrary substitution of our system of measurements over there, in a country that for three hundred years or more has been accustomed to nothing except the metric or Spanish system, would lead to endless confusion, and they wish to have the right to continue the use of what 99 per cent of the people in the islands are accustomed to, and only accustomed to. But be that as it may, the amendment has passed both Houses and is not now a proper subject of conference.